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**Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba**

# Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

## Report of the Secretary-General

*Summary*

In its resolution 70/5, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law and to submit it to the Assembly at its seventy-first session.

The present report reproduces the replies of Governments and bodies of the United Nations system to the request of the Secretary-General for information on the matter.

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# I. Introduction

1. In its resolution 70/5, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", the General Assembly requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the resolution in the light of the purposes and principles of the Charter of the United Nations and international law and to submit it to the Assembly at its seventy-first session.

2. Pursuant to that request, in a note verbale dated 1 April 2016, the Secretary-General invited Governments and organs and agencies of the United Nations system to provide any information they might wish to contribute to the preparation of the report. A further note verbale was sent on 1 June 2016.

3. The present report reproduces the replies from Governments and organs and agencies of the United Nations system that had been received as at 7 July 2016. Replies received after that date will be reproduced as addenda to the present report.

# II. Replies received from Governments

## Afghanistan

[Original: English]
[18 May 2016]

The Government of Afghanistan has not promulgated or applied any laws or measures of the kind referred to in the preamble to General Assembly resolution 70/5, in conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.

In that regard, the Government of Afghanistan has always voted in favour of the aforementioned resolution and reaffirms its commitment to the principles enshrined in the Charter of the United Nations.

Afghanistan considers that differences and problems between States should be settled through dialogue and negotiations.

## Albania

[Original: English]
[29 April 2016]

The Republic of Albania, guided by the purposes and principles of the Charter of the United Nations and international law, fully implements resolution 70/5 and does not have or apply any laws or measures of the kind referred to in the preamble to the said resolution.

## Algeria

[Original: Arabic]
[12 May 2016]

Algeria reaffirms its solidarity with Cuba and the Cuban people, who for more than half a century have been resisting the economic, commercial and financial embargo imposed by the United States of America. Every year, the General Assembly unanimously adopts a resolution calling for an end to this embargo. The resolution reflects the will of the international community to put an end this unilateral and illegal measure which is contrary to the principles of the Charter of the United Nations and international law, in particular those related to the sovereign equality of States, non-interference in the internal affairs of States and freedom of international trade and navigation.

Algeria once again rejects the imposition of extraterritorial laws and decisions and all forms of coercive measures, which prevent people from achieving their aspirations. It also reaffirms the need for an unconditional lifting of this embargo, which severely hinders the economic and social development of Cuba and causes considerable harm and suffering to the Cuban people.

Algeria also notes the process of normalization between Cuba and the United States, including the restoration of diplomatic relations between the two countries and the positive developments observed recently following President Obama's official visit to Havana. While Algeria welcomes these positive developments, they would not suffice unless the embargo is completely lifted.

In this connection, Algeria wishes to reiterate the principled position adopted by the Movement of Non-Aligned Countries, at the seventeenth Ministerial Conference of its member States, held in Algiers in May 2014, calling for an end to the economic, commercial and financial embargo imposed by the United States on Cuba.

## Andorra

[Original: English]
[6 May 2016]

The Government of the Principality of Andorra has not promulgated or applied any laws or measures referred in the preamble to General Assembly resolution 70/5. In that regard, the Government of the Principality of Andorra has always voted in favour of the above-mentioned resolution and reaffirms its commitment to the principles enshrined in the Charter of the United Nations.

## Angola

[Original: English]
[31 May 2016]

The Republic of Angola reiterates the importance of ending the economic and financial blockade imposed by the United States against Cuba.

The Republic of Angola notes the normalization of the bilateral relation between Cuba and the United States, as well as the visit to Cuba earlier this year by

President Barack Obama, the first United States presidential visit to Cuba in 88 years. This should stimulate the American authorities to take measures in order to put an end to the economic, commercial and financial blockade against Cuba.

The Republic of Angola encourages the United States to build a relationship of dialogue and cooperation with Cuba based on mutual respect.

The Republic of Angola reaffirms its commitment to respect, preserve and promote the principles of the Charter of the United Nations and the provisions of international law, as they constitute the essence of multilateralism and a collective effort to maintain peace and international security, economic growth and respect for human rights and fundamental freedoms.

In this context, the Republic of Angola reiterates its concern over the continuation of the economic, commercial and financial blockade against Cuba and expresses its desire to see the current negotiations under way evolve towards a final resolution that will enable the Cuban people to exercise their right to freely decide their own political and economic system.

The Republic of Angola once again expresses its recognition of the Secretary-General's work towards ending the economic, commercial and financial blockade imposed on Cuba.

The Republic of Angola reiterates its unconditional support to the implementation of the recommendations contained in paragraphs 2, 3 and 4 of General Assembly resolution 70/5, and takes this opportunity to appeal once again to the international community to redouble its efforts to promote constructive and transparent dialogue between the two countries, with a view to achieving the objectives of all the resolutions already adopted by the United Nations on this matter.

## Antigua and Barbuda

[Original: English]
[9 May 2016]

The Government of Antigua and Barbuda remains fully committed to the purposes and principles of the Charter of the United Nations, and in particular the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

The Government of Antigua and Barbuda expresses its concern at the continued promulgation of the economic, commercial and financial embargo against Cuba, despite the overwhelming support by Member States for resolution 70/5, previous resolutions against the embargo and relevant international treaties.

Further, in accordance with paragraph 2 of resolution 70/5, the Government of Antigua and Barbuda continues to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the aforementioned resolution, in conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirms the freedom of trade and navigation.

## Argentina

[Original: Spanish]
[1 June 2016]

The Government of the Argentine Republic has fully implemented the provisions of General Assembly resolution 70/5 and previous Assembly resolutions concerning the economic, commercial and financial embargo imposed against Cuba.

Act No. 24871, enacted on 5 September 1997, establishes the legislative framework governing the scope of application of foreign legislation within Argentina. Article 1 of that Act provides that foreign legislation which, by imposing an economic embargo or restricting investment in a given country, purports to have extraterritorial legal effects in order to bring about a change of government in a country or to affect its right to self-determination, shall be absolutely inapplicable and devoid of legal effects. The United States embargo against Cuba is regulated by federal legislation, in particular the Torricelli Act (Cuban Democracy Act) of October 1992 and the Helms-Burton Act (Cuban Liberty and Democratic Solidarity Act) of March 1996.

The Argentine Government optimistically welcomes the re-establishment of diplomatic relations between Cuba and the United States and congratulates both Governments on their decision to engage in dialogue that will enable all outstanding issues, including the lifting of the embargo, to be resolved.

In that connection, our country is fully committed to the Charter of the United Nations, international law and multilateralism. Argentina has supported the General Assembly resolutions against the economic, commercial and financial embargo imposed by the United States against Cuba since 1995. It has also voiced opposition to the embargo at every available opportunity, both in regional forums and in other international organizations.

In keeping with this position, Argentina has supported the following declarations in multilateral forums:

(a) Community of Latin American and Caribbean States (CELAC):

- "Special declaration 4: on the need to put an end to the economic, commercial and financial blockade imposed by the United States of America against Cuba", adopted at the fourth Summit of Heads of State and Government on 27 January 2016, in Quito.
- "Political Declaration of Quito — Middle of the World", adopted at the fourth Summit of Heads of State and Government on 27 January 2016, in Quito. In paragraph 11, CELAC reiterates its deepest rejection of the application of unilateral coercive measures and reaffirms its call to the Government of the United States to unconditionally end the economic, commercial and financial blockade imposed on Cuba for over five decades.

(b) Dialogue between CELAC and the European Union:

- "Brussels Declaration: Shaping our common future: working together for prosperous, cohesive and sustainable societies for our citizens", adopted at the second Summit of Heads of State and Government, held on 10 and 11 June 2015 in Brussels. In paragraph 19, the Heads of State and

Government of the two organizations reaffirm their rejection of coercive measures of unilateral character and the application of the extraterritorial provisions of the Helms-Burton Act.

## Armenia

[Original: English]
[18 April 2016]

Armenia's national legislation does not promulgate or apply any laws or regulations, referred in the General Assembly resolution 70/5, which can have a devastating influence on the economic and social development of Cuba.

The Government of the Republic of Armenia has on a number of occasions expressed its opposition to the policy of economic blockades and closed borders, being itself subject to a continuing blockade by Turkey and Azerbaijan.

## Australia

[Original: English]
[14 April 2016]

The Government of Australia reaffirms its position in support of General Assembly resolution 70/5. Since 1996, the Government of Australia has consistently supported General Assembly resolutions calling for an end to the trade embargo on Cuba. Australia has no sanctions or measures against Cuba that restrict trade or investment. Australia is encouraged by the ongoing steps to normalize relations between Cuba and the United States.

## Azerbaijan

[Original: English]
[17 May 2016]

The Republic of Azerbaijan firmly upholds the norms and principles of international law in its foreign policy. The Republic of Azerbaijan enjoys friendly diplomatic, economic and trade relations with the Republic of Cuba. Azerbaijan has not promulgated or applied laws or measures against Cuba that would limit economic, trade or financial relations between Azerbaijan and Cuba. Azerbaijan will continue to undertake appropriate measures to strengthen cooperation and develop friendly relations with Cuba. The Republic of Azerbaijan also welcomes the ongoing efforts of the United States and Cuba towards normalizing relations between the two countries.

## Bahamas

[Original: English]
[2 June 2016]

The Commonwealth of the Bahamas enjoys normal diplomatic and trade relations with the Republic of Cuba.

The Bahamas has not promulgated or applied laws or measures against Cuba that would prohibit economic, commercial or financial relations between the Commonwealth of the Bahamas and the Republic of Cuba.

In this context, the Bahamas recalls and affirms the position of regional and interregional bodies, such as the Caribbean Community, the African, Caribbean and Pacific Group of States and the Movement of Non-Aligned Countries.

The Bahamas also lauds the ongoing rapprochement between the Governments of the United States and the Republic of Cuba and welcomes the efforts of the Executive Branch of the United States Government towards having the Legislative Branch of that Government repeal the legislation enforcing the embargo.

## Bahrain

[Original: Arabic]
[31 May 2016]

The Kingdom of Bahrain has consistently supported the General Assembly resolutions on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba, and reaffirms its support for the implementation of resolution 70/5, adopted by the General Assembly on 27 October 2015, at its seventieth session.

The position of the Kingdom of Bahrain stems from its commitment to the purposes and principles of the Charter of the United Nations.

## Bangladesh

[Original: English]
[28 June 2016]

The Government of Bangladesh has neither promulgated nor applied any laws or measures of the kind referred to in the General Assembly resolution 70/5. Bangladesh has consistently supported previous resolutions on this item in the Assembly and has also voted in its favour of the aforementioned resolution.

## Barbados

[Original: English]
[17 May 2016]

Barbados has consistently voted in favour of the resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba since it was first introduced in the General Assembly at its forty-sixth session, in 1991.

Barbados reiterates its support for the most recent resolution on this issue, resolution 70/5, and reaffirms its commitment to full implementation at the national level since Barbados has no laws that in any way restrict freedom of trade and navigation with Cuba.

Barbados also welcomes the positive developments in the relationship between the Governments of Cuba and the United States, notably the re-establishment of diplomatic relations and the continuing dialogue on the lifting of the embargo.

## Belarus

[Original: Russian]
[29 April 2016]

The Republic of Belarus condemns the use of unilateral economic measures as a means of applying political and economic pressure on developing countries, believing them to be contrary to the fundamental principles of international law and the spirit and letter of the Charter of the United Nations.

The Republic of Belarus supports the inalienable right of each State to determine its own development path and will not accept attempts by individual States to use military, political, economic or other measures to exert pressure intended to change the internal political system of other countries.

The Republic of Belarus therefore welcomes the initiation of a process of normalizing relations between the Republic of Cuba and the United States and calls for the economic, commercial and financial embargo imposed on the Republic of Cuba by the United States to be lifted as soon as possible.

Relations between the Republic of Belarus and the Republic of Cuba are distinguished by a high level of bilateral cooperation. Belarus reaffirms its willingness to continue promoting the deepening of comprehensive cooperation and the fostering of friendly relations with the Republic of Cuba.

## Belize

[Original: English]
[9 May 2016]

Belize reaffirms its absolute commitment to the purposes and principles enshrined in the Charter of the United Nations, including, in particular, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law. In strict observance of the Charter and international law, Belize has consistently supported the resolutions denouncing the embargo against Cuba. Belize rejects the extraterritorial application of laws and measures. The ongoing attempt to isolate Cuba in disregard of the annually adopted resolutions which enjoy the overwhelming support of States Members of the United Nations is a flagrant affront to multilateralism and the political will of the international community.

Belize and Cuba maintain a constructive and mutually beneficial partnership which has yielded concrete benefits for all our peoples. Our policy of engagement is further enhanced through regional cooperation between the Caribbean Community and Cuba.

## Benin

[Original: French]
[19 May 2016]

The adoption by the General Assembly on 27 October 2015 of resolution 70/5 was a source of great satisfaction for Benin.

Benin, which is fully committed to the purposes and standards of the Charter of the United Nations and the fundamental principles of international law, considers that the challenges of modern times require States to work together in a spirit of solidarity for the good of their peoples.

Benin has consistently supported the previous resolutions adopted by the General Assembly on this issue and also voted in favour of the above-mentioned resolution, as the Beninese people believe in the virtues of dialogue as the only method of settling disputes and restoring trust between States.

The Government of Benin has not promulgated or applied laws or measures of the kind referred to in resolution 70/5 and has always called for the unilateral measures imposed against Cuba to be lifted promptly, in order to allow that country to achieve its own socioeconomic development and participate fully in international trade.

Benin also welcomes the recent positive developments in the relationship between the Governments of Cuba and the United States of America, specifically the agreement to re-establish diplomatic relations and the commencement of bilateral discussions on the lifting of the embargo.

In that regard, Benin hopes that the efforts undertaken to normalize diplomatic relations will very quickly result in the full and definitive lifting of the embargo against Cuba, in accordance with the above-mentioned resolution.

Benin will continue to work to promote the constructive dialogue undertaken by the two countries, with a view to the lasting normalization of their bilateral relations.

## Bhutan

[Original: English]
[29 April 2016]

The Royal Government of Bhutan has neither promulgated nor applied any laws or measures of the kind referred to in General Assembly resolution 70/5 and has consistently supported the aforementioned resolution in the Assembly and voted in its favour.

## Bolivia (Plurinational State of)

[Original: Spanish]
[9 May 2016]

The Bolivian Government rejects any action or unilateral measure taken by the United States against Cuba for the purpose of imposing an economic, commercial and financial embargo against any other State, as well as the use of unilateral measures of coercion, discredit and disinformation against another country.

Bolivia condemns in the strongest terms the policies governing the economic, commercial and financial embargo that the Government of the United States has imposed on the Cuban people, policies that have affected them and prevented them from exercising their right to development for over half a century.

The human cost of the embargo is incalculable. It has caused suffering and constitutes a huge, flagrant and systematic human rights violation. This embargo meets the criteria to be considered an act of genocide under article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, as well as an act of economic war under the 1909 Declaration concerning the Laws of Naval War.

The United States embargo against Cuba is not a bilateral matter. The embargo is aggressively extraterritorial; it is a violation of international law that affects the sovereignty of all States. It contravenes the norms of international trade and free navigation. Moreover, the inclusion of medicine and food in the embargo violates international humanitarian law.

The Bolivian State believes that the United States embargo against Cuba violates the purposes, principles and spirit of the Charter of the United Nations, as well as the foundations of international humanitarian law and human rights law.

The disregard of General Assembly resolutions reflecting the international community's near-unanimous rejection of the unilateral embargo by the United States Government demonstrates that there are countries which have benefited greatly from the establishment of the Organization but fail to respect those decisions that do not suit them.

The Plurinational State of Bolivia has adopted a new type of economic cooperation and complementarity among countries based on the principles of the Bolivarian Alliance for the Peoples of Our America — Peoples' Trade Agreement, of which the Republic of Cuba is also a member.

In this context, bilateral relations between Bolivia and Cuba are guided by a spirit of unity and justice for the benefit of their peoples with a view to increasing the two countries' participation in the international economy and strengthening their cooperation and trade. The First Additional Protocol to Economic Complementarity Agreement No. 47, signed on 4 February 2009, is therefore being fully implemented, reaffirming the desire to create closer ties between their Governments and peoples; it includes market access facilities and complete trade liberalization, thereby promoting fair trade for our peoples.

The Plurinational State of Bolivia acknowledges and appreciates the efforts made by Cuba to cooperate with the Bolivian people despite the significant harm to its economy caused by the embargo. Cuba provides support in various fields, primarily education and health.

In the various international forums of which it is a member, the Plurinational State of Bolivia has unconditionally supported resolutions and declarations expressing the rejection of the embargo against Cuba. At the Seventh Summit of the Americas, held in Panama on 10 and 11 April 2015, President Evo Morales reaffirmed his support for Cuba and asserted that, in addition to lifting the unjust embargo, the United States should provide compensation for all of the harm it has caused Cuba over the past 50 years.

In its Special Declaration adopted on 28 January 2016, CELAC reiterated its "strongest rejection of economic coercive measures not supported by the international law, including all those unilateral actions imposed on sovereign countries for political reasons that impair the well-being of their peoples and are designed to prevent these countries from exercising their right to decide, by their own free will, their political, economic and social systems".

As a member of CELAC, Bolivia welcomes "the re-establishment of diplomatic relations between the Governments of Cuba and the United States of America, the opening of their respective embassies and other initiatives taken to further bilateral ties" and urges "President Obama, in light of his repeated declarations, to take all actions within his executive powers to substantially modify the application of the blockade against Cuba, and the United States Congress to proceed with its elimination".

Given this situation, Bolivia joins in solidarity with and fully endorses the self-determination of the Cuban people and the fulfilment of their sovereign right to live free of the unjust, illegal and inhumane embargo imposed by the Government of the United States.

Bolivia will continue to express its consistent support by voting in favour of the resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" at the next session of the General Assembly.

In view of the foregoing, the Plurinational State of Bolivia firmly states that the United States embargo against the Republic of Cuba must be ended unconditionally, unilaterally and immediately.

With respect to paragraphs 2 and 3:

The Government of the Plurinational State of Bolivia has not adopted any laws or measures that are contrary to the spirit of General Assembly resolution 70/5 and regrets that other States have resorted to this illegal, harmful and inhumane practice in violation of international law.

With respect to paragraph 4:

The Plurinational State of Bolivia requests the Secretary-General of the United Nations to continue to keep Member States and the relevant bodies informed regarding the negative impact on the Republic of Cuba of the policies and practices imposed by the Government of the United States under its economic, commercial and financial embargo against that sovereign country, measures which also affect the sovereignty of all other States Members of the United Nations.

## Bosnia and Herzegovina

[Original: English]
[26 April 2016]

Bosnia and Herzegovina, guided by the purposes and principles of the Charter of the United Nations and international law, has supported General Assembly resolution 70/5.

Bosnia and Herzegovina has never promulgated or applied any laws or measures of the kind referred to in the resolution 70/5, and is ready to develop cooperation with Cuba both at the bilateral and multilateral level.

## Botswana

[Original: English]
[26 April 2016]

The Republic of Botswana has never, and does not intend, to promulgate, apply and enforce any laws and measures of the kind referred to in General Assembly resolution 70/5. As reflected by its vote on the resolution, Botswana is opposed to the continued adoption and application of such extraterritorial measures, and in this regard supports the immediate lifting of the economic, commercial and financial embargo against Cuba.

## Brazil

[Original: English]
[1 June 2016]

Brazil reiterates its firm opposition to the economic, commercial and financial embargo imposed against Cuba as well as to the extraterritorial application of domestic trade laws and the adoption of discriminatory trade practices.

The Government of Brazil is committed to diplomacy, to the peaceful settlement of disputes, to economic and trade cooperation and to the prevalence of the principles and purposed enshrined in the Charter of the United Nations, as well as to respect for international law.

Brazil believes that Governments that do not comply with resolution 70/5 should urgently take further steps to eliminate discriminatory trade practices and bring to an end unilaterally declared economic, commercial and financial embargoes. Brazil's legal system does not recognize the validity of the application of measures with extraterritorial effects.

The Brazilian Government not only opposes the economic, commercial and financial embargo imposed against Cuba, but has also developed a growing economic relationship with the country, based on the belief that the proper way to support Cuba is through its integration into economic international flows.

In accordance with resolution 70/5, Brazil considers that there is an urgent need to put an end to the adoption and implementation of unilateral measures. In addition to the adverse impacts these measures impose on the population of the country under sanctions, their extraterritorial nature is in clear contradiction with the basic principles of international law and with peaceful coexistence among nations, which implies respect for sovereignty and freedom of trade and navigation.

Moreover, sanctions and other unilateral measures have affected the regular exercise of diplomatic activities of Cuba in the United States, as well as those diplomatic activities of many foreign Embassies in Cuba, due to unreasonable constraints imposed on financial institutions with headquarters or branches in the United States.

Brazil welcomes recent initiatives by the President of the United States and the re-establishment of the dialogue between the two nations, including the historic visit by President Obama to Cuba in March 2016. It recognizes the positive nature of the successive measures implemented since December 2014 by the Office of Foreign Assets Control of the United States Department of the Treasury, the last one dated 15 March 2016. These measures enhance possibilities for United States citizens to travel to Cuba and allow for increased access on the part of Cuban citizens to the United States financial system.

However, in Brazil's opinion, much more has to be done to put an end to the framework that upholds the embargo. Since December 2014, penalties for institutions trading with Cuba have still been applied, in a total amount of almost US$ 3 billion.

For decades, Brazil has been a strong advocate for the normalization of relations between the United States and Cuba. CELAC adopted a special declaration at its fourth summit, held in January 2016, calling for the return to Cuba of the occupied territory of Guantanamo Naval Base, as a relevant element of the normalization process.

There is a virtual international consensus regarding the rejection of the economic, commercial and financial embargo imposed by the United States against Cuba since 1962. This can be illustrated by the fact that resolution 70/5 was approved by 191 votes in favour and only two against.

Intensifying economic relations with Cuba is the correct path that should be followed by all countries interested in supporting the development of the island and the improvement of the living conditions of millions of Cuban citizens. The embargo harms the Cuban people, mainly the poorest ones, who suffer the impact of such unilateral measures through economic uncertainty and unemployment.

## Brunei Darussalam

[Original: English]
[2 June 2016]

Brunei Darussalam reaffirms its support for all General Assembly resolutions calling for an end to the trade embargo on Cuba. Brunei Darussalam is generally against the unilateral use of sanctions on Member States, as it affects their economic and social development. Brunei Darussalam takes the view that such sanctions are contrary to international law and the Charter of the United Nations. On that basis, Brunei Darussalam has not introduced or applied any laws or measures inconsistent with General Assembly resolution 70/5.

## Burkina Faso

[Original: French]
[1 June 2016]

The embargo imposed by the United States of America on Cuba has had disastrous consequences for the Cuban people and the country's economy.

This embargo runs counter to the fundamental norms of international law, international humanitarian law, the Charter of the United Nations and the norms and

principles governing peaceful relations among States, and can in no way serve as an appropriate means of settling disputes.

These unilateral measures are also contrary to the guidelines of the World Trade Organization and violate the principle of State sovereignty and the principle of non-intervention and non-interference in the internal affairs of States.

For those reasons, Burkina Faso, a peace- and justice-loving country that fully subscribes to the principle of the sovereign equality of States, as advocated in the Charter of the United Nations, opposes the continuation of this embargo.

Burkina Faso, which believes in the virtue of exchanges between States, calls for the lifting of the embargo imposed on Cuba. It urges the parties concerned to favour dialogue as a means of peacefully settling their dispute, in accordance with Article 33 of the Charter, and welcomes the diplomatic rapprochement between the two States.

In accordance with its obligations under the Charter and international law, Burkina Faso has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 70/5 of 27 October 2015.

## Burundi

[Original: French]
[26 April 2016]

The position of the Government of Burundi has always been to oppose this embargo, which is inconsistent with international law, the Charter of the United Nations and the norms and principles governing peaceful relations among States. Burundi has never applied this embargo and does not intend to apply it in the future.

## Cabo Verde

[Original: English]
[6 May 2016]

The Republic of Cabo Verde, in accordance with the principles enshrined in the National Constitution and in conformity with the spirit of the Charter of the United Nations, which promotes solidarity, cooperation and friendly relations among countries and nations, has never promulgated or applied any law or measures of the kind referred to in the preamble to General Assembly resolution 70/5.

Cabo Verde has always voted in favour of lifting the embargo and maintains excellent relations of friendship and cooperation with Cuba.

## Cambodia

[Original: English]
[3 May 2016]

While congratulating the re-establishment of diplomatic relations between Cuba and the United States, the Royal Government of Cambodia would like to reiterate its strong stance in supporting the lifting of the embargo which has been illegally imposed by the United States against Cuba. This act of the United States is

clearly a grave violation of international law, hindering the social and economic development of Cuba and causing suffering to its people.

The Royal Government of Cambodia reaffirms its call for full compliance and effective implementation of the above resolution by all States Members of the United Nations.

## Canada

[Original: English]
[1 July 2016]

The Government of Canada reconfirms its support of General Assembly resolution 70/5. Canadian law states that no Canadian corporation shall, in respect of any trade or commerce between Canada and Cuba, comply with an extraterritorial measure of the kind referred to in this resolution. Canada welcomed the announcement of rapprochement between Cuba and the United States. Canada congratulates the effort of these two countries, our neighbours, to normalize bilateral relations and hopes that this process will bring about the end of the embargo against Cuba.

## Central African Republic

[Original: French]
[1 June 2016]

The economic, commercial and financial embargo imposed by the United States against Cuba has caused tremendous harm to the Government and people of Cuba in all spheres of activity. The embargo has long been denounced and the General Assembly has passed 23 resolutions against it, the most recent of which was adopted on 27 October 2015. While everyone was expecting the embargo to be completely lifted after the normalization of diplomatic relations between the two countries on 17 December 2014, it should be noted that it remains in place.

Mindful of its commitments to the international community and in compliance with the principles of the Charter of the United Nations, the Central African Republic considers this embargo to be contrary to international law and international humanitarian law. Furthermore, the Government of the Central African Republic will continue to support the Government of Cuba until the embargo has been completely lifted and calls on the United States Government to act in strict compliance with the purposes and principles of the Charter of the United Nations regarding international cooperation and solidarity and good-neighbourly relations.

## Chad

[Original: English]
[31 May 2016]

The Republic of Chad reaffirms its support for all General Assembly resolutions calling for an end to the United States embargo on Cuba.

The Republic of Chad calls for an end to the unilateral economic, commercial and financial embargo which the United States has imposed against Cuba for several

decades in violation of the principles of the Charter of the United Nations and international law. The sanctions have huge and negative impacts on the economic and social development of Cuba, bearing in mind the very fragile situation after the crisis in the world economy.

The General Assembly resolution on the embargo sends a strong signal reaffirming the international community's support for that country, which must enjoy the same rights and freedom of trade as all the other States Members of the United Nations. The Republic of Chad rejects any unilateral action taken against a sovereign country for the purpose of preventing it from enjoying its diplomatic, economic and trading rights. It supports the strengthening of relations of cooperation and friendship among all the States Members of the United Nations, for the sake of international peace and security. In view of the socioeconomic harm that this embargo has inflicted on Cuban society, the Republic of Chad requests that the international community redouble its efforts to promote a constructive dialogue between the two countries in order to end the economic, commercial and financial embargo.

The Republic of Chad welcomes the ongoing efforts of the United States and Cuba towards the normalization of their relations, and expects that the sanctions will be lifted unconditionally before the end of 2016.

## Chile

[Original: Spanish]
[3 May 2016]

The Republic of Chile welcomes the current state of diplomatic relations between the United States and Cuba. It notes in particular the historic visit to Cuba undertaken by United States President Barack Obama in order to seal, and make irreversible, the process initiated by the two countries in December 2014 to normalize relations between them. Chile values the willingness of both nations to overcome their past differences and reiterates its hope that this historic step will signal the end of all unilateral measures affecting economic, commercial and financial ties with Cuba in accordance with General Assembly resolution 70/5.

Chile has historically supported Cuba in connection with the resolution presented in the United Nations General Assembly each year to condemn the unilateral embargo imposed by the United States. The Republic of Chile reiterates that the embargo on Cuba entails a violation of international law and principles, particularly those concerning the equality of States, non-interference in internal matters and the freedom of trade and navigation.

Moreover, Chile wishes to report that it has not approved any measures aimed at restraining normal trade and economic relations between Chile and Cuba. Chile supports the full and free exercise of the right to trade and to establish business relations in the international arena, with no restrictions other than those corresponding to activities classified as illegal under Chilean law and the restrictions imposed by the international community in accordance with the Charter of the United Nations.

## China

[Original: Chinese]
[23 May 2016]

For 24 successive years, the General Assembly has adopted, by an overwhelming majority, a resolution calling for an end to the economic, commercial and financial embargo imposed on Cuba by the United States and urging all countries to comply with the rules of international law and the Charter of the United Nations and to repeal or nullify any laws and measures, the extraterritorial effects of which encroach upon the sovereignty of other States, the legitimate interests of entities and individuals within their jurisdiction and the freedom of trade and navigation.

Regrettably, over the years there has been no effective implementation of these resolutions and the economic, commercial and financial blockade imposed by the United States on Cuba has yet to be lifted. Not only is this contrary to the purposes and principles of the Charter of the United Nations and of the relevant resolutions of the General Assembly, it has also caused immense economic and financial losses to Cuba, has hindered efforts by the Cuban people to eradicate poverty, to promote their economic and social development and to attain the Millennium Development Goals, has impaired the right to survival and the right to development of the Cuban people and has also disrupted the normal economic, commercial and financial relations between Cuba and other countries.

China has always advocated respect for the right of countries independently to choose their own social system and path of development, and has opposed the imposition by military, political, economic or any other means of unilateral sanctions on other countries. It has always strictly abided by and implemented the relevant resolutions of the General Assembly. China and Cuba are maintaining their economic and trade relations and conducting personnel exchanges, and the mutually beneficial and friendly cooperation between the two countries in various areas continues to grow. This is in line with the aspirations of the peoples of both countries, and is also conducive to the economic and social development of Cuba.

Against the backdrop of today's multipolar world, economic globalization, cultural diversity and the democratization of international relations, there is a growing trend towards communication and cooperation on an equal footing between countries. When differences arise between countries, equal dialogue and friendly consultation offer the best means of reaching a settlement. In July 2015, the United States and Cuba restored diplomatic relations. China now calls upon the United States to lift its embargo against Cuba fully and as soon as possible, and to develop normal inter-State relations with Cuba in accordance with the purposes and principles of the Charter of the United Nations and the basic norms governing international relations. This is in line with the shared interests of the United States and Cuba and of the peoples of those two countries, will promote peace and stability throughout the Americas and will be beneficial to the international community as a whole.

## Colombia

[Original: Spanish]
[4 May 2016]

The Government of the Republic of Colombia, in accordance with the principles enshrined in the Charter of the United Nations, reiterates that it has neither promulgated nor applied any unilateral laws or measures against Cuba or any other Member State, in keeping with its policy of respect for international law and commitment to the principles of political independence, self-determination of peoples, non-intervention and non-interference in the internal affairs of other nations.

Consequently, Colombia promotes the independent development of the internal policies of every nation and believes that any measure that undermines economic and commercial development and the well-being of the population should cease.

Colombia believes that Member States must make progress in building cooperative and friendly relations on the basis of multilateralism and respect for the principle of sovereign equality and other provisions enshrined in Chapter I of the Charter of the United Nations.

## Comoros

[Original: English]
[10 May 2016]

The Government of the Union of Comoros, taking into account all the steps which are being taken towards the normalization of the relationship between Cuba and the United States, reaffirms its obligation under the Charter of the United Nations and thus has not promulgated or applied any laws or regulations with extraterritorial effects which could affect the sovereignty of other States.

Encouraged by the recent historic visit to Cuba of Barack Obama, President of the United States, as well as the first United States cruise ship docking in Havana on 2 May 2016, the Government of the Union of the Comoros supports the immediate lifting of the economic, commercial and financial embargo against Cuba for the benefit of the countries and people who expect to develop relations in all those sectors.

## Congo

[Original: French]
[16 May 2016]

The Government of the Republic of the Congo once again expresses its deep concern at the indefinite and unjustified protraction of the unilateral embargo imposed by the United States on the Republic of Cuba for more than 50 years.

This unacceptable embargo constitutes, at the very least, a flagrant violation of the Charter of the United Nations, the norms of public international law and the right of all peoples to freely decide their own political systems and social and economic path without any external constraints.

The Republic of the Congo, a peace- and justice-loving country, rejects this abuse which continues to impede peaceful coexistence, friendship, dialogue, cooperation and mutual understanding between the Cuban and American peoples.

The Government of the Republic of the Congo unequivocally condemns all unilateral and coercive measures imposed by the United States on the Republic of Cuba and calls for the unconditional lifting of these restrictive measures, which prevent both parties from promoting peaceful relations based on respect for the purposes and principles of the Charter of the United Nations, the guarantee of solidarity, development and happiness for their respective peoples.

The Government of the Republic of the Congo welcomes the positive developments in the relations between the Republic of Cuba and the United States, as reflected in the official visit to Cuba undertaken by President Barack Obama from 20 to 22 March 2016.

The Government of the Republic of the Congo hopes that this visit, which has strengthened the diplomatic relations restored in July 2015, signals an irreversible step toward bilateral relations based on the best interests of both countries.

The Government of the Republic of the Congo welcomes the start of the rapprochement process between the two countries and encourages them to continue their dialogue.

## Costa Rica

[Original: Spanish]
[31 May 2016]

Costa Rica, in strict compliance with international law and the fundamental principles of the Charter of the United Nations, reiterates its firm opposition to the current economic, commercial and financial embargo imposed against Cuba, in particular through the Helms-Burton Act, which constitutes a real obstacle to international trade.

In accordance with General Assembly resolution 70/5 and previous versions thereof, Costa Rica has neither promulgated nor applied any national law or measure with extraterritorial effects that could affect the sovereignty of other States and the freedom of trade and navigation. To that end, Costa Rica has consistently stressed, at both the regional and international levels, the need to lift the economic, commercial and financial embargo against Cuba, because it believes that, after so many decades, it is the people of Cuba who have suffered the most.

Costa Rica is firmly convinced that it is only through dialogue, multilateral mechanisms and international law that differences between countries should be addressed. In keeping with this fundamental foreign policy position, it reiterates its total rejection of unilateral and extraterritorial measures applied by any State against another through the imposition of its own laws and legal system. Similarly, Costa Rica has reiterated that any type of political, economic or military sanction imposed on States must result from a decision or recommendation made by the Security Council or General Assembly.

Costa Rica has also defended the right of peoples to self-determination and the principles of political independence, non-intervention and non-interference in the

internal affairs of other nations, and deplores any measure that negatively affects the civilian population. In that regard, it recognizes the need for the Cuban authorities to make progress towards compliance with democratic standards and full respect for human rights and fundamental freedoms.

For these reasons, Costa Rica reiterates its support for the international community's repeated and near-unanimous calls for the lifting of the economic, commercial and financial embargo against Cuba.

Costa Rica welcomes the efforts made toward the full restoration of diplomatic relations between the United States and Cuba, highlighting in particular the visit by the President of the United States in March 2016, the first in 88 years, which represented a significant step towards improving bilateral ties. In that connection, Costa Rica welcomes the measures announced by the high-level authorities of these two friendly nations to engage in political dialogue and open up various areas; such measures will be of mutual benefit and will have a positive impact on the well-being of the Cuban people.

The Government of Costa Rica recognizes Cuba as a strategic actor in the region and aims to promote a growing economic relationship with that country. The official State visit to Cuba in December 2015, by the Costa Rican President, Luis Guillermo Solís Rivera, not only consolidated the formalization of diplomatic relations, but also galvanized bilateral trade and strengthened cooperation in areas of mutual interest, such as higher education, scientific and technical exchange, health, high-performance sports and foreign trade.

During this official visit, the delegation of the Costa Rican President was accompanied by a trade and business mission consisting of 21 Costa Rican companies interested in developing business opportunities in the Cuban market. In that context, the Foreign Trade Corporation of Costa Rica (PROCOMER), which supports Costa Rican companies, especially microenterprises and small- and medium-sized enterprises, in the process of opening up to international markets, signed a cooperation agreement with ProCuba to foster rapprochement mechanisms, diversify foreign trade and encourage foreign investment. This cooperation agreement seeks to expedite access to their goods and services markets, as well as facilitate the study of strategic partnerships and the development of investments.

PROCOMER continues to work proactively to identify opportunities and establish trade contacts for Costa Rican companies interested in developing business in Cuba. As at January 2016, goods amounting to 2,939,904 United States dollars had been shipped to Cuba from Costa Rica by a total of 10 companies exporting various construction, lighting, medicine, agricultural and other products.

## Côte d'Ivoire

[Original: French]
[7 June 2016]

The Ivorian Government has never adopted or promulgated any laws or measures of the kind referred to in General Assembly resolution 70/5. In keeping with its policy of openness and peaceful resolution of disputes, the Ivorian Government has always voted in favour of the previous resolutions on this issue.

In the light of recent sociopolitical developments, Côte d'Ivoire encourages constructive dialogue among all stakeholders and reaffirms its readiness to work with the entire international community to find appropriate solutions to this issue with full respect for the principles of the Charter of the United Nations.

Côte d'Ivoire welcomes the efforts made by the Secretary-General and reaffirms its support for the full lifting of the economic, commercial and financial embargo, which would enable Cuba to contribute effectively to the development efforts of the international community.

## Cuba

[Original: Spanish]
[7 July 2016]

### Introduction

In the period between April 2015 and April 2016, some progress was made in bilateral relations between the United States and Cuba. Particularly notable were the restoration of diplomatic relations and the reopening of embassies, preceded by the removal of Cuba from the spurious list of State sponsors of terrorism, to which it should never have been added.

In March 2016, during his visit to Cuba, the President of the United States of America, Barack Obama, recognized once again that the embargo policy towards the island is outdated and should be abandoned. In his speech at the "Alicia Alonso" theatre in Havana on 22 March, President Obama highlighted, in reference to the embargo, that it was "only hurting the Cuban people instead of helping them" and again called on Congress to put an end to this policy.

However, the economic, commercial and financial embargo against Cuba remains in place and the restrictions it imposes continue to be enforced. During 2015 and 2016, the Department of the Treasury and the Department of Commerce made a number of amendments to the regulations governing this policy and although they are positive steps forward, they are insufficient.

The present report summarizes the impact of the embargo during the period referred to in paragraph 1 above.

Despite the new scenario, on 11 September 2015 President Obama, citing foreign policy interests, again renewed the sanctions against Cuba under the Trading with the Enemy Act of 1917, a fundamental component of the laws and regulations that comprise the embargo against Cuba.

The financial and extraterritorial aspects of the embargo have been further intensified. This is reflected in the imposition of fines in the millions of dollars on banks and financial institutions that have interactions with Cuba, and persecution against Cuban international financial transactions.

At the time of writing, the promised authorization of the use of the dollar in Cuban international transactions has not taken place and United States banks have not been granted permission to issue loans to Cuban importers of authorized United States products. The fears of financial institutions and United States suppliers themselves of being fined for doing business with Cuba, a country subject to United States sanctions, have not diminished.

The President of the United States has broad executive powers that would enable him, if he was determined to do so, to substantially dismantle the embargo policy, although its total elimination requires a decision of Congress.

This report explains the limited scope of the measures taken by the United States executive branch, and the range of actions that it could take to eliminate the embargo. In addition, it lists numerous examples of the economic and social damage caused by its implementation between April 2015 and April 2016. The text clearly shows how the embargo is the greatest obstacle to the development of Cuba's economic potential and the well-being of the Cuban people, as well as to economic, commercial and financial relations between Cuba and the United States and the rest of the world.

The economic damage caused to the Cuban people through application of the United States economic, commercial and financial embargo against Cuba, taking into account the depreciation of the dollar against the price of gold on the international market, amounts to US$ 753.688 billion, despite the decline in the value of gold compared to the previous period. At current prices, since the policy was introduced over 50 years ago, the embargo has inflicted quantifiable damage of more than US$ 125.873 billion.

Further progress towards the normalization of bilateral relations with the United States, which the Government of Cuba has welcomed on a basis of sovereign equality, non-interference in internal affairs and absolute respect for independence, will undoubtedly require the unilateral and unconditional lifting by the United States Government of the economic, commercial and financial embargo against Cuba.

In that regard, it is essential to respect the 24 resolutions adopted by the international community in the General Assembly, whose Member States call for an end to this absurd policy.

The Cuba embargo should never have existed, and it must now cease once and for all.

## I. Continuity of the embargo policy

### 1.1. The embargo laws remain in force

Despite the measures adopted by President Barack Obama as from 17 December 2014 and his repeated calls for Congress to lift the embargo, the laws and regulations that support this policy remain in effect and are enforced with full rigour by United States Government agencies, especially the Department of the Treasury and the Department of Commerce, and more particularly by the Office of Foreign Assets Control (OFAC).

The main United States laws and administrative provisions establishing and governing the embargo policy are the following:

- The Trading with the Enemy Act (TWEA) of 1917, section 5 (b) of which provides that the President may impose economic sanctions, in time of war or any other national emergency, and prohibits trading with the enemy or with allies of the enemy during hostilities. In 1977, the International Emergency Economic Powers Act restricted the powers of the President to impose new sanctions, referring to national emergency situations. However, TWEA has

remained in effect against Cuba, even though the White House has never declared a national emergency with respect to Cuba. Since 1959, successive United States Presidents have extended the application of TWEA to Cuba. Under cover of that legislation, the oldest of its kind, the Cuban Assets Control Regulations (CACR) were adopted in 1963. They prohibited United States nationals or persons subject to United States jurisdiction from conducting financial transactions with Cuba, they froze Cuban assets, and they banned the import of goods of Cuban origin into the United States, among other restrictions. Cuba is the only country to which this legislation applies. On 11 September 2015, President Obama renewed the sanctions against Cuba for another year, under the terms of TWEA.

- The Foreign Assistance Act of 1961 authorized the United States President to establish and maintain a total embargo upon trade with Cuba, and prohibited the granting of any aid to the Cuban Government. It provided that United States Government funds earmarked for international aid and delivered to international agencies could not be used for programmes involving Cuba. It prohibited the granting to Cuba of any assistance mentioned in that law or any other benefit mentioned in any other law, until such time as the President determined that Cuba had taken action to return to United States citizens and entities no less than 50 per cent of the value of properties nationalized by the Cuban Government following the triumph of the Revolution, or to provide equitable compensation for such properties.

- Presidential Proclamation 3447, issued on 3 February 1962 by President John F. Kennedy, decreed a total embargo on trade between the United States and Cuba, pursuant to section 620(a) of the Foreign Assistance Act.

- The Cuban Assets Control Regulations of 1963, issued by the Department of the Treasury, froze all Cuban assets in the United States, prohibited all financial and commercial transactions unless approved by a licence; prohibited Cuban exports to the United States; and prohibited any natural or legal person of the United States or third parties from conducting transactions in United States dollars with Cuba, among other provisions.

- Under Section 2401(b)(1), "National Security Controls", "Policy toward individual countries", of the Export Administration Act of 1979, a "Commerce Control List" is established, on which the United States President keeps a number of countries for which special export controls may be imposed for reasons of national security. Cuba is included on that list.

- The Export Administration Regulations (EAR) of 1979 establish the terms for general controls over items and activities subject to EAR control, consistent with the sanctions imposed by the United States Government. They establish a general policy of denying exports and re-exports to Cuba.

- The Cuban Democracy Act ("Torricelli Act") of 1992 prohibits the subsidiaries of United States companies in third countries from trading in goods with Cuba or with Cuban nationals. It bans third-country vessels that have visited a Cuban port from entering United States territory within 180 days, except for those that have a licence from the Secretary of the Treasury.

- The Cuban Liberty and Democratic Solidarity (Libertad) Act ("Helms-Burton Act") of 1996 codifies the provisions of the embargo and expands its

extraterritorial scope through the imposition of penalties on directors of foreign companies that conduct transactions with United States properties nationalized in Cuba and the threat of lawsuits in United States courts, which have been the subject of a suspension, renewed year after year. The Act also limits the powers of the President to suspend the embargo even though it stipulates that the President retains the power to authorize transactions with Cuba through the issuance of licences.

- Section 211 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for fiscal year 1999 prohibits registration in the United States of trademarks associated with nationalized properties and bars recognition by United States courts of the rights of Cuban enterprises over these trademarks.

- The Trade Sanctions Reform and Export Enhancement Act of 2000 authorizes the export of agricultural products to Cuba, conditional upon payment in cash and in advance, and without United States financing. It prohibits travel to Cuba for tourist activities by United States persons, defining tourist activity as any activity involving travel to, from or within Cuba that is not explicitly authorized under Title 31, Section 515.560, of the Code of Federal Regulations. In other words, it limits travel to the 12 categories authorized when it was enacted.

### 1.2. Executive measures taken by President Barack Obama and their limitations

In his announcement of 17 December 2014 regarding Cuba, President Obama recognized the failure of the traditional policy of the United States toward Cuba and undertook to engage in discussions with Congress to lift the embargo. As part of that new approach, the President announced various executive measures modifying aspects of the embargo.

During 2015 and 2016, the Department of the Treasury and the Department of Commerce made a number of amendments to the regulations concerning Cuba which, despite constituting positive steps forward, are insufficient. Significant obstacles to the implementation of these measures still persist as long as the embargo policy, related laws and numerous resulting restrictions remain in place.

With respect to travel, United States citizens have been granted permission to visit Cuba under a general licence provided they fall within the 12 categories of persons authorized to do so by law; the resumption of regular flights between Cuba and the United States has been agreed; the carriage by sea of passengers who fall within the 12 categories is now permitted and individual "people to people" educational trips have been authorized. Nevertheless, under United States law, United States citizens are still prohibited from travelling freely to Cuba.

In the telecommunications sector, exports of products and services to Cuba, financing for the creation of infrastructure facilities and the possibility of establishing joint ventures with Cuban entities have all been authorized. However, these measures have not been extended to other sectors of the Cuban economy, which remain subject to severe restrictions under the embargo.

When it comes to trade, the list of United States products that, with the new measures in place, may be exported to Cuba without the need to seek authorization from the Department of Commerce is confined to telecommunications products and

services, construction materials, and equipment and tools for use by the non-state sector of the economy, including agriculture. The sale of other United States products and services to Cuba is prohibited, unless authorized by the Department of Commerce through the issuance of specific licences, which expire within a fixed time limit.

In addition, the authorization to import Cuban goods and services into the United States is confined to those produced by the non-state sector and excludes items of key importance for the Cuban economy, such as tobacco. By not including the state sector of the economy, the list excludes other Cuban goods and services of recognized international prestige such as rum, nickel, biotechnology products and medical and education services. Moreover, the tariff that would be applied to Cuban products, if they were allowed to enter United States territory, would be set at the highest rates of the Harmonized Tariff Schedule of the United States International Trade Commission, since Cuba is placed at the most restrictive level of duties for import into the United States and is not accorded most favoured nation treatment on account of the embargo.

Similarly, the amendments to the maritime transportation regulations, which allow vessels engaged in "humanitarian trade" with Cuba to enter United States ports before 180 days, are inoperable. It is unlikely that vessels carrying commercial cargoes to Cuba will confine themselves to transporting food, medicines, medical equipment and other exports that are authorized by the United States. International practice indicates that contracts with shipping companies are not restricted to the transportation of only one kind of product.

In the field of finance, the enforcement of the embargo has been modified by authorizing use of the dollar in Cuba's international transactions and by permitting United States banks to provide credit to Cuban importers of authorized United States products. Nevertheless, these measures have not been implemented in practice since financial institutions and United States suppliers themselves continue to fear carrying out such transactions with Cuba on account of the risks inherent in doing business with a country under United States sanctions.

Another major constraint is that Cuban financial institutions are banned from opening correspondent accounts in United States banks, which prevents the establishment of direct banking relationships between the two countries and makes commercial transactions between Cuba and the United States more expensive owing to the need to triangulate the transactions and pay intermediary commissions. The adverse effects of intensified financial persecution against Cuban transactions and the distinctly extraterritorial character of that persecution over the past seven years continue to be evident in the persistent refusal of banks from the United States and other countries to effect transfers related to Cuba, even in currencies other than the United States dollar.

### 1.3. Prerogatives of the United States President to make further changes in the enforcement of the embargo without the need to appeal to Congress

The United States President has broad executive powers to continue making changes in the enforcement of the embargo regulations, and to go further than he has done to date, in order to strip the embargo of the majority of its content. While the United States Congress is the body empowered to revoke the legislation underlying the Cuba embargo policy and to end the embargo, such an act can be

preceded by a dismantling of the vast majority of the restrictions that comprise the policy, through executive actions.

With President William Clinton's signature of the Helms-Burton Act on 12 March 1996, the embargo against Cuba and the string of executive orders supporting it were codified in law. However, that same law preserved the broad powers of the President to issue licences allowing various transactions prohibited by the embargo.

Following is a list of other measures which the United States President could adopt to modify implementation of some aspects of the Cuba embargo policy. He could:

1. Enable Cuban entities (banks, enterprises etc.) to open correspondent accounts in United States banks.
2. Reverse the policy of financial persecution against Cuba.
3. Authorize the direct export of United States products to Cuban companies.
4. Allow Cuban services and goods that constitute exportable items of the Cuban economy such as tobacco, rum, sugar, biotechnology products, including products manufactured in third countries that contain Cuban raw materials such as nickel or sugar, to be imported into the United States.
5. Authorize United States companies to invest in Cuba.
6. Authorize United States citizens to receive medical treatment in Cuba.
7. Lift the prohibition preventing vessels that have transported goods to Cuba from entering United States ports for 180 days following their departure from Cuba.

These actions show that the framework of the embargo can be substantially modified if the United States President uses his broad executive powers.

There are only four aspects of the embargo that are beyond the reach of presidential decisions, as they are regulated by laws that require congressional action in order to eliminate or modify them. These are:

1. The rule that prohibits United States subsidiaries in third countries from trading with Cuba (Torricelli Act).
2. The ban on transactions with United States properties that were nationalized in Cuba (Helms-Burton Act).
3. The law that prevents United States citizens from visiting Cuba as tourists (Trade Sanctions Reform and Export Enhancement Act of 2000).
4. The ban on granting financing for the sale of United States agricultural products to Cuba (Trade Sanctions Reform and Export Enhancement Act of 2000).

The process of normalizing bilateral relations between Cuba and the United States will necessarily entail a lifting of the embargo, which is the greatest impediment to Cuba's economic, commercial and financial relations with the United

States and with the rest of the world, as well as the development of the full potential of the Cuban economy and the well-being of the Cuban people.

### 1.4. Principal embargo measures applied since 17 December 2014

The following examples of the effects of this policy on Cuban entities and on third parties demonstrate that the embargo against Cuba has remained in force:

- On 6 August 2015, OFAC imposed a fine of US$ 271,815 on the United States maritime insurance company Navigators Insurance Company for violating the regulations against Cuba and other countries. According to OFAC, on 1 April 2011, Navigators made a claim payment of US$ 21,736, in which a Cuban national had an interest.
- On 18 and 23 September 2015, an Australian bank refused to make two transfers in Australian dollars to Agencia de Viajes Cubatur S.A., for the payment of services for a group of 19 travellers visiting Cuba.
- In October 2015, the Society for Worldwide Interbank Financial Telecommunication (SWIFT) cancelled the Bankers World Online service to the Cuban bank Banco Financiero Internacional, because of the embargo regulations.
- On 20 October 2015, the French bank Crédit Agricole agreed to pay a combined fine of US$ 1,116,893,585 to the Department of the Treasury (US$ 329,593,585), the Federal Reserve (US$ 90.3 million), the New York Department of Financial Services (US$ 385 million), the Manhattan District Attorney's Office (US$ 156 million) and the Columbia County District Attorney's Office (US$ 156 million), for violating the regulations against Cuba and other countries. According to OFAC, between January 2004 and June 2008, Crédit Agricole, together with its subsidiaries and predecessors, processed 173 electronic transfers linked to property in which the Cuban Government or its nationals have an interest, to or through financial institutions located in the United States, for an amount of US$ 97,195,314.
- On 27 October 2015, the United States company Gil Tours Travel, Inc., based in Philadelphia, Pennsylvania, entered into an agreement with OFAC to pay a fine of US$ 43,875 for violating the sanctions against Cuba. According to OFAC, between 21 October 2009 and 19 August 2010, Gil Tours Travel provided travel services to Cuba to 191 individuals who did not have a licence granted by OFAC.
- On 24 November 2015, the Namibian subsidiary of the United States company FedEx refused to provide international courier services to the Embassy of Cuba in Windhoek, because of the embargo regulations.
- In late November 2015, the United States company PayPal froze the account of the German company ProTicket, through which the company's clients had paid for tickets for the musical comedy *Soy de Cuba* and for a concert by the Cuban singer Addys Mercedes. On 19 April 2016, a first instance court in the German city of Dortmund, in response to a suit filed by ProTicket, ruled against PayPal, forcing it to immediately unfreeze the account of a client from the Federal State of North Rhine-Westphalia. If it did not do so, PayPal would have to pay 250,000 euros to the client. The company was freezing the client's

accounts for having used the words "Cuba" or "Cuban". In contrast to the extraterritorial scope of the embargo, the court found in its legal reasoning that in the present case, only German law applied.

- On 20 January 2016, the United States Department of the Treasury imposed a fine of US$ 140,400 on the United States design company WATG Holdings, Inc., of California, for violating sanctions against Cuba. According to OFAC, the company's British subsidiary, Wimberly Allison Tong and Goo, worked on the design of a hotel project in Cuba, for which it received three payments from a Qatari company between October 2009 and May 2010, amounting to US$ 284,515.

- In early February 2016, authorities from the German bank Commerzbank AG informed Cuban banks of the cessation of its operations with them in coming months, as a result of the fine imposed by the United States in March 2015 in the amount of US$ 1.71 billion.

- On 11 February 2016, the Italian banks Banca Popolare, Unicredit and INTENSA San Paolo refused to conduct operations with the Italian company SRL Sol, a distributor of Varadero Cuban rum in Italy.

- On 12 February 2016, it was reported that the branch of the British bank Standard Chartered Bank in Uganda had informed Cuban doctors working at the University of Mbarara that they had until Monday 15 February to withdraw their money, because as Cubans they could not continue with their accounts in the bank. The university suggested that the Cubans should open accounts at Barclays Bank, another British bank, but after opening their accounts, the bank authorities warned them that they could not make transactions to or from Cuba.

- On 18 February 2016, the Bank of The Bahamas refused a transaction requested by the Cuban company Havanatur Bahamas, on the grounds that it appeared on the OFAC sanctions list.

- On 22 February 2016, OFAC imposed a fine of US$ 614,250 on the French company CGG Services for violating the embargo against Cuba. According to OFAC, between 2010 and 2011, CGG Services and several of its subsidiaries provided services, spare parts and equipment of United States origin for oil and gas exploration to vessels operating in Cuban territorial waters. In addition, the Venezuelan subsidiary of the branch of CGG Services in the United States conducted five transactions relating to the processing of information for seismic research, conducted by a Cuban entity in the exclusive economic zone of Cuba.

- On 25 February 2016, OFAC imposed a fine of US$ 304,706 on the United States company Halliburton Atlantic Limited for violating the regulations against Cuba. According to OFAC, Halliburton and its subsidiaries in the Cayman Islands exported goods and services worth US$ 1,189,752 to support oil and gas exploration, as well as drilling activities in the Onshore South Block in Cabinda, Angola, in which the Cuban company Unión Cuba-Petróleo (CUPET) allegedly owned a 5 per cent interest.

- On 29 February 2016, the branch of a French bank in Italy refused to process funds in euros for the company Cubana de Aviación, in order to credit it for

sales made in January and February 2016 through the BSP electronic payments system of the International Air Transport Association (IATA).

- On 18 March 2016, it was reported that the Japanese bank Mitsui Sumitomo SMBC Trust rejected a transfer made by a Japanese citizen in payment of a tourist card to the Cuban consulate in Japan.
- On 1 April 2016, it was reported that the United States bank Citibank rejected payments by clients of the Cuban company Havanatur Argentina.
- On 6 April 2016, the United States company PayPal informed the Danish-Cuban Association of the closure of its account because of the embargo regulations against Cuba.
- On 19 April 2016, it was reported that the Botswana-based bank, Stanbic Bank, a branch of the British bank Standard Chartered Bank, refused to continue transferring payments to Cubadeportes under the cooperation agreement between Botswana and Cuba.
- On 25 April 2016, the Turkish branch of the Dutch mail and parcels services company TNT B.V., informed the Cuban Embassy in Ankara that, because of its merger with the United States company FedEx, it had stopped its services to and from Cuba as of 1 February and that, as of 4 April, it would not accept shipments from countries subject to United States sanctions.
- On 3 May 2016, it was reported that the bank of the United States company Eventbrite had seized funds raised by the Cuban Association of the United Kingdom. The company had sold tickets for a classical music event organized by the Association to raise funds for the purchase and donation of a piano for the Amadeo Roldán Conservatory of Music in Cuba.
- In May 2016, the Royal Bank of Canada refused to transfer, in Canadian dollars, the payment of Cuba's membership fee to the Association of Caribbean States.
- In May 2016, the Spanish bank Santander refused to open accounts for Cuban diplomatic officials based in that country.
- In May 2016, the Spanish bank CaixaBank closed the current accounts and point of sale terminal (POS) devices of the business group Excelencias, because of the group's operations with Cuba.
- In May-June 2016, the Spanish bank Santander refused to provide payment services for consular fees through magnetic cards using POS devices to the Consulates General of Cuba in the cities of Barcelona, Santiago de Compostela and Seville. The provider of those devices is the company Elavon, belonging to U.S. Bank, which reported that this was because of the inclusion of Cuba on the OFAC list.
- In June 2016, the sales contract for a server to improve the functioning of the consular management system of the Cuban Consulate in Barcelona was cancelled by a Spanish company, which stated that the equipment provided was produced by the United States company Dell.
- In June 2016, the United States Department of Commerce subpoenaed the Chinese company Huawei, demanding that it share all information relating to the export and re-export over the past five years of United States technology to Cuba and other countries subject to sanctions.

## II. The embargo violates the rights of the Cuban people: damage to the sectors of greatest social impact

*"The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized."*[1]

The embargo continues to be an absurd and morally insupportable policy which, as the United States President has recognized, has not served the purpose of breaking the Cuban people's determination to choose their own political system and control their own future. This chapter summarizes the effects on the rights of the Cuban people in sectors of vital importance for the country.

### 2.1. The right to health and food

Cuba's entire population has been guaranteed free health care ever since the triumph of the Revolution in 1959, given its emphasis on humanism and social justice. The progress achieved in the public health sector over the past 58 years is undeniable, as demonstrated by Cuba's indicators, which have been widely recognized in international forums. However, this sector has not been spared the rigorous application of the genocidal economic, financial and commercial blockade imposed by the United States.

The cumulative monetary impact on public health in Cuba since the beginning of the embargo is US$ 2,624,100,000, while during the period analysed in this report the damage amounted to US$ 82,723,876.18. This is an increase of more than US$ 5 million compared to the period from April 2014 to April 2015.

These impacts manifest themselves in the inability to purchase, from United States markets, medicines, reagents, spare parts for diagnostic and treatment equipment, medical instruments and other items necessary for the functioning of the sector. In most cases, these products have been acquired on geographically distant markets, which makes the process more onerous owing to the necessary reliance on intermediaries and leads to delays in the treatment of patients. In many cases, the alternative products used are of lower quality than those available on the United States market, which in turn negatively affects treatment.

The embargo also affects the number of low-income American youths who are able to enrol in medical school or other postgraduate courses in the medical sciences in Cuba.

In addition to such measurable consequences, the following are examples of human repercussions that are impossible to quantify:

- The brain drain and loss of skilled labour in the health sector through the so-called Cuban Medical Professional Parole Program (CMPP) has had an incalculable effect on the Cuban public health system.

  This United States programme, established in 2006, applies only to Cuban doctors and other medical staff working in international missions outside of Cuba. It not only affects patients from other countries who are under the care

[1] See General Assembly resolution 41/128, entitled "Declaration on the Right to Development", art. 1, para. 1.

of these professionals where the mission is located, but means there will be fewer staff to contribute directly to the health of the Cuban people in the future. Despite improvements in bilateral relations between the two countries, this programme remains in force and is representative of the policy of aggression maintained by the Government of the United States towards Cuba.

- The "Dr. Rafael Estrada" Neurology and Neurosurgery Institute reports that in January 2016, it received a delegation of employees from the United States company Medtronic, which controls a significant portion of the sale and post-sale market for medical equipment of various kinds. In particular, Medtronic sells, in some cases on an exclusive basis, products of interest for neurology and neurosurgery, such as deep brain stimulators for the treatment of neurological diseases.

  To date, however, the embargo against Cuba has prevented its purchase of the aforementioned brain stimulators. During their visit, Medtronic employees confirmed that the company is still not authorized to establish contracts with Cuba. Accordingly, the dozens or hundreds of Cuban patients suffering from Parkinson's disease or other neurological disorders whose quality of life could be improved by implanting these stimulators are not eligible to receive such treatment.

  General Electric likewise markets medical equipment for the study of the peripheral nervous system. In November 2015, specialists in clinical neurophysiology from the Institute contacted a representative of that United States company to express its interest in acquiring this kind of equipment and training a Cuban specialist in its use. However, in February 2016, a General Electric representative replied that the company was not authorized to sell its products to Cuba as a result of the embargo policy.

- The company FARMACUBA requested protective equipment as well as biotechnological and chemical products for the development of medicines in Cuba from four different American suppliers. Among these was the multinational company Sigma-Aldrich, which refused to respond to the Cuban request owing to the complications arising from the application of the United States embargo.

On the other hand, Cuba has one of the most comprehensive social protection programmes in the world, which has enabled it to eradicate chronic malnutrition and child malnutrition among its population, as illustrated by concrete results that are recognized by the specialized agencies of the United Nations system. Ensuring food security for the Cuban population using an approach based on the promotion of the three pillars of sustainable development — economic, social and environmental — is a priority in the country's development strategy.

Nonetheless, the food sector remains one of the sectors most severely affected by the United States embargo policy. Based on the information collected by the Ministry for the Food Industry and the Ministry of Agriculture of the Republic of Cuba, the impact of this policy amounted to US$ 605,706,289, in the period under review.

The impact is reflected in higher prices for agricultural seed, fertilizers, spare parts for agricultural equipment and other inputs on the geographically distant markets where they must be purchased as they cannot be purchased on the United

States market. In addition, intermediaries in third countries must often be used, which substantially increases expenditure, and in some cases significantly reduces food production on account of imports not being completed in time.

The embargo policy also leads to bigger stockpiles and an increase in the length of time for which the raw materials and inputs necessary to ensure egg, milk and meat production for the Cuban population must be kept in national stocks, with a view to anticipating unexpected stockouts of these products on the international market and so ensuring coverage of domestic production. The storage time for these products, if they could be obtained from the United States, would be only about 15 days.

As a result of the impact of the embargo, Cuba is forced to store such products for approximately 90 days. In monetary terms, this means that a volume of goods equivalent to some US$ 161.2 million was tied up during the reporting period. If these products could be acquired in the United States, it would only be necessary to tie up the equivalent of US$ 26.9 million. The resulting damage to the food sector is approximately US$ 134.4 million.

The following are other examples of the impact of the economic, commercial and financial embargo on the food sector, which is key to the lives of the Cuban people:

- The company LABIOFAM S.A. has not been able to obtain minimum essential medium alpha (MEM-A) and fetal bovine serum in the United States market, which is the only one to sell such items. These raw materials are necessary for the production of vaccines against various viruses and bacteria affecting the livestock sector in Cuba. As a result, Cuban companies have to import these products through European suppliers, thus increasing their own transport costs and the profit margins of the suppliers.

  The situation is further complicated by the fact that such imports require a certificate of origin issued by a United States veterinary institution. For that reason, suppliers fear that, since the certificate is traceable, their operations might be detected and they might be fined by OFAC. Consequently, the health of livestock in Cuba and the concomitant food production for the Cuban population is seriously affected by the embargo policy.

### 2.2. The right to education, sports and culture

*"In these Goals and targets, we are setting out a supremely ambitious and transformational vision. We envisage a world [...] with universal literacy. A world with equitable and universal access to quality education at all levels ..."*[2]

Universal, fair and free access to quality education for all Cubans has always been a priority for the Cuban Revolution. To this end, the State has an obligation to ensure the full enjoyment of this right, as set forth in article 39 of the Constitution of the Republic of Cuba.

The Cuban Government annually allocates a certain amount of financial and human resources to guarantee this right. However, the effects of the economic, commercial and financial embargo imposed by the United States have a direct

[2] See General Assembly resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", para. 7.

impact on these efforts. The education sector had to expend considerable financial resources during the period under review owing to the impossibility of purchasing the necessary educational materials in the United States market.

During the period under review, the Ministry of Education suffered losses of US$ 1,245,000 solely as a result of the geographical relocation of trade.

The embargo against Cuba is also a threat to the development of sport. Some of its effects on the sports sector are as follows:

- The National Institute of Sport and Physical Education (INDER) cannot purchase sports equipment in the United States from the Louisville, Wilson, Xbat, Rawlings, Atec or 3N2 brands for baseball and softball; or the Easton and W&W brands for archery, despite the fact that these articles are mandatory according to the official regulations of international sports federations. For this reason, INDER has been forced to import this sports equipment from a third country, engendering a price markup of 20 to 30 per cent.

- Efforts were made through a Spanish company to buy a Hobie Cat 16 sailboat that would have cost 30 per cent more than if it had been acquired directly from the United States. These efforts have not come to fruition, which has affected the preparation of athletes in this discipline.

- Cuba's anti-doping laboratory also reported that in June 2016, OFAC withheld a shipment of biological samples from a group of Peruvian athletes, which was in transit through the United States. The samples had been sent for analysis to the Cuban laboratory by the Peruvian Institute of Sport, using the German company DHL. As a result of the application of the embargo policy, this laboratory, an anti-doping centre of reference in Latin America, was unable to reap the economic benefits of analysing the Peruvian samples.

The Cuban Revolution has maintained among its priorities the dissemination and promotion of culture, as an indispensable element for the education and development of Cuban citizens. However, the embargo continues to hinder the scope and development of Cuba's cultural heritage. Just in the period under review, that policy caused total damage of US$ 29,483,800 in the area of culture.

If the embargo were lifted, the United States market could be the main source of supply for a significant number of raw materials, inputs, tools and equipment for artists, artisans and designers. However, Cuban institutions must currently import these products from a third country, which leads to markups of as much as 40 per cent.

The following are some examples of the embargo's adverse impact on the development of Cuban culture:

- During the past school year (September 2015-June 2016), 414 elementary school pupils were enrolled in specialized programmes for string instruments such as bass, violin, cello and viola. The Cuban cultural system ensures that every one of these students has an instrument for his or her studies. The price of the Palatino VN-350-1/2 Campus Violin Outfit is US$ 79 in the United States. However, Cuban authorities are obliged to acquire a similar instrument in a third country for a price of US$ 215. If it were possible to acquire this instrument in the United States, Cuba would save some US$ 56,300 annually.

- During the reporting period, the Ministry of Culture was engaged, among other projects, in the restoration of the "Alicia Alonso" theatre in Havana. The cost of purchasing the materials needed for this restoration in third countries was US$ 672,300. Had Cuba been able to access the United States market, even with only a 15 per cent reduction in prices, the country could have saved approximately US$ 100,800.

### 2.3 The right to development

*"The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development)"*[3]

The right to development in Cuba is restricted by the adverse effects of the embargo. Sectors such as biotechnology, tourism, transport, mining, renewable energy and telecommunications, among others, have suffered substantial losses as a result of this unjust policy. This section contains some examples of the impact of the embargo on these sectors.

The role of Cuba's biotechnology sector is to develop innovative and technologically advanced products, medicines, equipment and services, with a view to improving the health of the Cuban people, producing exportable goods and services, and developing advanced food-production technology. However, the Cuban biopharmaceutical industry is not immune to the effects of the economic, commercial and financial embargo imposed by the United States.

A number of American business delegations interested in Cuban biotechnological products have visited the country, some of them have expressed interest and some contracts have been signed; however, the embargo continues to limit exchanges between the two nations. It is depriving the people of the United States of the benefits of biotechnological and pharmaceutical products developed in Cuba.

The total economic damage caused by the embargo policy in this important sector amounts to US$ 171,665,136.96 for the period covered by this document. Some concrete examples of this damage are as follows.

- The Natural Products Centre, part of the National Centre for Scientific Research, has been unable to purchase spare parts for two chromatographs made by the United States firm Agilent Technologies. These machines are essential for the quality control of the products that the Centre's pharmaceutical chemistry department researches and develops. Because these two chromatographs have been out of service, staff have had to overuse the rest of the equipment in the laboratory, resulting in losses of US$ 600,000.
- Empresa Laboratorios AICA reports losses in the production of carpules, cartridges containing liquid medication which are open at one end and are used to administer anaesthetics in dentistry, or doses of insulin. The machine which processes these medical products is made by the United States firm Bosch Pharmaceuticals, which means that the company's laboratories have problems

[3] Paragraph 35 of the document entitled "Transforming our world: the 2030 Agenda for Sustainable Development", adopted by the Heads of State and Government at the United Nations summit for the adoption of the post-2015 development agenda, held in New York from 25-27 September 2015.

acquiring the spare parts and the technical assistance needed to repair it. This has resulted in a loss of US$ 1,759,200.

Nor have the executive measures adopted to date by the Government of the United States had a significant impact on the sugar-producing agro-industrial sector, which suffered an estimated US$ 3,305,600 in losses during the period analysed.

The embargo had additional effects on Grupo Empresarial AZCUBA, a sugar producer. It reported an increase in import financing costs as a result of higher interest rates owing to country risk. This increase was 0.5 per cent last year, which represents a loss of US$ 690,400, and is attributable to the fact that it is impossible to access external sources of financing linked to United States institutions. It is therefore necessary to seek alternative financial institutions that are not connected to that country. These financial institutions charge higher interest rates, on the grounds that they risk reprisals, owing to the application of the embargo's extraterritorial regulations, for maintaining relationships with Cuba.

In the communications and information technology sector, including telecommunications, damages suffered during the period under review amounted to US$ 59,208,700.

The process of normalizing bilateral relations between Cuba and the United States has made it possible for operators of the two countries to establish direct connections for the provision of telecommunication services. However, the implementation of the United States embargo continues to significantly affect the island's communications and information technology sector.

Empresa de Telecomunicaciones de Cuba S.A.is directly affected by the restrictions under the embargo on free access from within Cuba to Internet content and the infringement of the right to the freedoms expressed and accepted by authors publishing software under a General Public Licence (GNU GPL). Access to services or to downloadable information is denied once systems recognize that a link is being accessed from an Internet (IP) address granted to the Cuban domain.cu.

Among the most useful sites for the development of this sector, to which access from Cuba is prohibited, are http://code.google.com; http://www.ti.com; http://www.vmware.com; http://www.oracle.com; and http://www.globalspec.com.

The Cuban tourism industry has also suffered severe losses as a consequence of the embargo. In the period between April 2015 and March 2016, the damage caused by this policy amounted to US$ 2,058,250,000.

In 2015 a total of 28.7 million tourists visited the Caribbean region, an increase of 7 per cent compared with the previous year, according to figures from the Caribbean Tourism Organization (CTO). In its report covering 2015, CTO indicated that visitors spent nearly US$ 30 billion. The United States remains the primary source of tourist arrivals in the Caribbean, with a total of 14.3 million Americans having travelled to the region in 2015, representing a 6.3 per cent increase compared with the previous year. According to the CTO report, American tourists now comprise nearly 50 per cent of total arrivals.

It is estimated that at least 15 per cent of Americans travelling to the Caribbean as tourists would have visited Cuba if the United States did not impose restrictions on tourist travel. Given that figure, approximately 2.1 million American tourists might have travelled to Cuba in 2015. Based on the average amount of

money spent per tourist per trip to the Caribbean, estimated at US$ 900, the Cuban tourism industry could have earned US$ 1.89 billion.

With regard to the promotion of tourism, Cuban access to American advertising companies and other means of promotion is prohibited. Not only that, but during the period under review the country was targeted by campaigns originating in the United States that were aimed at discrediting its tourism industry.

The embargo caused total damage to the construction sector of US$ 30,868,200 in the period under review. The main reason for those losses was the lack of access to lighter and more efficient construction technology using fewer raw materials and energy components, which is available on the United States market or is produced by subsidiaries of companies based there. As a result, Cuban companies had to import products from more distant markets. Longer transit times entailed additional freight, insurance and trans-shipment costs.

The damage to the country's construction programme caused by technological change is estimated at US$ 29,437,000. Meanwhile, freight and insurance costs totalled US$ 855,200, an increase of US$ 599,500 on the costs incurred during the previous period.

The embargo against Cuba affects the Cuban Radio and Television Institute (ICRT), essentially by preventing its access to the cutting-edge technology available in the United States market. As a result of the embargo, the main distributors of equipment for the international radio and television brands Sony, Panasonic, JVC, Thomson, Harris and Ikegami do not respond to Cuban requests to purchase their goods.

In order to acquire such products, ICRT is forced to use intermediaries or third countries, which charge between 25 and 40 per cent more. Even once a product has been acquired, the embargo generally makes it impossible to benefit from after-sale service, which annuls the guarantees that come with high-cost equipment.

The embargo against Cuba has affected the development of the chemical industry. Cuban firm QUIMIMPEX, Import-Export, which specializes in importing products for this sector, sought to procure raw materials and spare parts from 16 United States suppliers. In particular, it requested chlorine valves for cylinders used to treat drinking water from the company FC Tech, which refused to supply the necessary products.

Similarly, Cuba's science, technology and environmental sector has been affected by the United States embargo. Below are details of some of the most significant impacts.

- The Centre for Coastal Ecosystem Research and the Centre for Research on Organic Food are struggling with broken equipment in their laboratories. This equipment is used to monitor coastal trends, the quality of seawater in coastal areas, and the quality of drinking water and wastewater; and to analyse the quality of food and raw materials in connection with scientific projects. However, thus far no solution to the problem has been found because it has not been possible to purchase the required equipment from the United States. Nor has it been possible to acquire reagents and culture media that are produced only in the United States, which has precluded the analysis of some 1,570 samples since the start of 2016.

- The Centre for Coastal Ecosystem Research, the Centre for Research on Organic Food and the Centre for Information and Technology Management do not have access to United States knowledge management databases related to climate change, management of natural resources (water, biodiversity, beaches), animal nutrition and meteorology.

The damage caused by the embargo to the energy and mining sector is estimated at US$ 106,352,561 for the period under review. This is an increase of US$ 61,266,017 compared with the impact calculated for the previous period.

Among the effects of the embargo on this sector are the imposition of fines on third-country companies for having ties with Cuba, which reaffirms the extraterritorial nature of this policy; the lack of access to advanced technologies, and to hydrocarbons and their derivatives produced in the United States; the inability to export Cuban nickel, or products that contain any amount of Cuban nickel, to the United States market; increased shipping costs; exchange rate fluctuations owing to the inability to use the dollar; and the payment of insurance premiums on freight and transportation.

- For example, Empresa Importadora de Abastecimiento para el Petróleo (ABAPET), an affiliate of the State holding company CUPET, imported supplies which it had acquired for a total of US$ 122 million, mainly in China. These products are available on the United States market at an import price that is 15 per cent lower. If CUPET had been able to purchase them from the United States it would have saved approximately US$ 18.3 million.

- The Cuban company Energoimport contacted five suppliers in the United States in order to obtain electrical connectors, and other accessories and tools, for the Cuban electricity grid. Both Hubbell Burndy and Hubbell Power Systems, which were among the United States companies it contacted, refused to provide the requested supplies, citing the existing embargo against Cuba.

The losses incurred by the transport sector during the period covered by this report amount to US$ 232,111,000. This damage caused by the application of the economic, commercial and financial embargo against Cuba adversely affected the economic revenue and normal performance of several transport sector entities. Civil aviation remains the transport subsector hardest hit by this policy, with losses accounting for 67.5 per cent of the total.

The economic impact of the embargo on Cuban aviation is estimated at US$ 156,648,000. This is a combination of foregone revenue, losses sustained as a result of the geographical relocation of trade, and the negative impact on production and services.

The lack of access to the United States market during the reporting period also created additional costs for the country's transport sector, in the form of, inter alia, higher prices, higher freight and insurance costs, and the immobilization of inventory; these costs amount to approximately US$ 28,107,000.

For example, the firm Aviaimport S.A. could not use the United States dollar as the currency of payment in its operations during the reporting period, owing to the embargo. Its revenue was reduced by US$ 575,900 as a result of currency exchange costs.

## III. Impact on the external sector of the Cuban economy

### 3.1. Foreign trade and foreign investment

The impact of the United States economic, commercial and financial embargo on the Cuban foreign trade sector during the period from April 2015 to April 2016 amounts to US$ 4,106,878,558. This represents an increase of US$ 255,962,129 compared with the losses recorded in the previous period.

The greatest losses in the sector are recorded under foregone revenue from exports of Cuban goods and services to the United States or third countries as a result of the application of the embargo policy. In the period under review alone, Cuba lost on the order of US$ 3,149,284,420 in foregone revenue.

The following are examples of the policy's negative impact on the external sector of the Cuban economy:

- Cuba is able to provide annually more than 200 medical programmes of internationally recognized quality in 47 health institutions to approximately 15,000 foreign citizens. However, the embargo denies citizens of the United States, and, in some cases, of third countries, access to these programmes, thereby limiting their rights.

  The economic impact of the embargo resulting from the inability to provide better care to patients, and academic services to citizens of the United States and third countries, is estimated at US$ 31.31 million.

- The Centre for Genetic Engineering and Biotechnology has developed the product Heberprot-P, a novel and unique drug for the treatment of severe diabetic foot ulcer. To date, the treatment has benefited more than 230,000 patients worldwide. It has been registered in 21 countries and is protected by more than 30 patents.

  Statistics indicate that the prevalence rate of diabetes in the United States is 9.3 per cent,[4] equivalent to approximately 29.2 million people. According to United States sources, 3.5 per cent[5] of them develop diabetic foot ulcer, amounting to more than 1 million people each year. Of these, 204,296 may develop advanced diabetic foot ulcer.

  If Heberprot-P were exported to benefit the 5 per cent of Americans who develop advanced diabetic foot ulcer annually, the biotechnology industry of Cuba could earn over US$ 122 million per year. This would help to reduce the significant number of more than 70,000 amputations performed annually in the United States on diabetic patients.[6]

- In addition, the Centre for Genetic Engineering and Biotechnology has introduced the Gavac vaccine on the market as an alternative for tick control. It is specifically designed to target various species of the *Rhipicephalus* genus.

  In the state of Tamaulipas, Mexico, bordering United States territory, where these ticks are endemic, a study was conducted that demonstrated that the

[4] *US National Diabetes Report*, 2014.

[5] Available from http://www.prnewswire.co.uk/news-releases/advances-in-wound-care-offer-hope-to-millions-of-americans-156809545.html.

[6] *US National Diabetes Report*, 2014.

vaccine was 99.0 per cent effective. In 2012, Gavac was evaluated in the United States by the Knipling-Bushland U.S. Livestock Insects Research Laboratory of the Agricultural Research Service of the United States Department of Agriculture and was determined to be 99.9 per cent effective for tick control.

The United States imports approximately 1 million head of cattle annually from Tamaulipas. This means that the livestock must undergo many control and quarantine procedures to prevent ticks from spreading to cattle in United States territory. The chemicals involved in these procedures can affect the animals and contaminate their meat and milk.

However, using Gavac, a fully ecological vaccine, would reduce the risks of such contamination on both sides of the border as well as the occurrence of tick-borne diseases. If there were no embargo, Cuba could provide this product to the United States, in particular to the livestock-farming territories of Texas and California. This would result in earnings of US$ 2,250,000 for Cuba and the significant improvement of a sector where the damage caused by these ticks is estimated at approximately US$ 100 million annually.

- The National Centre for Scientific Research, through its marketing entity Laboratorios Dalmer, S.A., has estimated the potential revenues from exporting several of its products to the United States at approximately US$ 5,384,337.89. One of the products considered was Policosanol or PPG, which has had a proven effect on cholesterol and as a preventive treatment against vascular diseases. Half of the population of the United States has high cholesterol, including an alarming 30 per cent of children.[7] The embargo policy prevents American patients affected by this condition from benefiting from the PPG produced by Cuba.

- The Placental Histotherapy Centre has also noted the inability of United States citizens to access Cuban products such as Melagenina Plus,[8] Coriodermina and Anti-Hair Loss Lotion. These products effectively treat vitiligo, psoriasis and alopecia. The prevalence rate of the first two diseases in the United States is 1 per cent[9] and 3.15 per cent,[10] respectively, while alopecia areata is the cause of 2.4 million doctor visits in the country each year. In view of the above, had it been possible to export these drugs to the United States, the biotechnology sector in Cuba would have earned a total of US$ 672,000.

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[7] Available from National Heart Disease and Stroke Prevention Programme, Center for Disease Control (http://www.cdc.gov/dhdsp/programs/spha/indc..htm), WISEWOMAN (http://www.cdc.gov/wisewoman/index.htm), American Heart Association (http://www.heart.org), National Heart, Lung, and Blood Institute (http://www.nhlb..nih.gov/), Third Report of the National Cholesterol Education Programme Expert Panel on Detection, Evaluation, and Treatment of High Blood Cholesterol in Adults (http://www.nhlbi.nih.gov/files/docs/guidelines/atp3xsum.pdf), Behavioral Risk Factor Surveillance System (BRFSS), 2013 questionnaire (http://www.cdc.gov/brfss/questionnaires/pdf-ques/2013%20BRFSS_English.pdf), Million Hearts® (http://millionhearts.hhs.gov/index.html).

[8] This drug is protected by a patent in the United States.

[9] Lerner AB, Nordlund JJ., "Vitiligo: What is it? Is it important?", *Journal of the American Medical Association*, vol. 239 (1978), pp. 1183-1187.

[10] Chandran, Vinod; Raychaudhuri, Siba P. "Geoepidemiology and environmental factors of psoriasis and psoriatic arthritis", *Journal of Autoimmunity*, vol 34 (2010): pp. J314-J321.

- The company LABIOFAM S.A. produces Vidatox 30 CH, a natural treatment with a proven anti-inflammatory, analgesic and anti-tumour effect in cancer patients. Because of the embargo, this product cannot be marketed in the United States, which has resulted in total estimated losses of US$ 89.1 million under foregone revenue. In addition, this policy prevents American cancer patients from accessing and benefiting from this alternative treatment.

- The agroforestry group Grupo Agro-Forestal (GAF) was prevented from exporting honey produced in Cuba to the United States. In the period under review, the impact of the embargo on the group resulting from the relocation of this activity to the European market amounted to US$ 32,182,150, which represents a 72 per cent reduction in revenue earned.

- Foregone revenue resulting from the inability to export 2,407 tons of aseptic mango pulp to the United States amounts to US$ 1,468,270. The United States is the main importer of fruit pulp worldwide and purchases the product on the international market at an average price of US$ 610 per ton. However, owing to the embargo, Cuba cannot market it in the United States.

- The United States was the world's second largest importer of charcoal in 2015. The average value of this product on the global market was US$ 394 per ton that year. Moreover, over the past few years, Cuba has improved the quality and increased the volume of its charcoal production, particularly the marabu-based variety, one of the most sought after at the international level.

  Had 100 tons of charcoal been exported to the United States, based on its average market value the Ministry of Agriculture would have earned some US$ 39,400 in the period under review.

- Grupo Empresarial de Tabaco de Cuba (TABACUBA) forwent revenues of US$ 119.5 million owing to its lack of access to the United States market. In 2015, the group sold 380 million units of premium tobacco. The export potential of this product on the North American market is estimated at 250 million units of sale, equivalent to 65 per cent of the total global market. Cuba's share of the markets to which it has access is greater than 70 per cent in terms of units and greater than 80 per cent by value.

  It can be inferred from these data that, were access to be granted, premium Cuban tobacco would have a privileged position on the United States market. While its share would increase progressively, total sales in the first year of exports are estimated at 50 million units. The average export price in 2015 was US$ 2.39 per unit.

- The agricultural production group Grupo Agrícola estimates that it could have exported about 95.36 tons of high-quality pineapple to the United States. Given that this product is valued at US$ 577 per ton on the United States market, the company forwent US$ 55,022 in revenue.

- Cuba is in a position to sell no fewer than 2.5 million cases of the internationally recognized Havana Club rum brand in the United States annually. However, the embargo makes it impossible to market the product in that country. In international markets, the value of cases classified as premium is approximately US$ 41. Without the embargo, Cuba could have earned an

estimated US$ 105 million from the sale of Havana Club rum on the United States market.

- Moreover, TECNOAZUCAR of Grupo Empresarial AZCUBA, a company that exports other brands of Cuban rum, remains unable to carry out its activities on the United States market. By a conservative estimate, Cuba's foregone exports on that market amount to 30,000 cases of 12 bottles, which, at a price of US$ 25 per case, represents US$ 750,000 in lost revenue.

- The nickel production company Comandante Ernesto Che Guevara reported damage caused by the embargo in the amount of US$ 15.9 million, primarily related to the inability to export Cuban nickel to the United States.

  During the period under review, the average price of nickel on the international market was US$ 10,468.34 per ton, while the product was traded on the United States market at US$ 10,991.76 per ton. Consequently, Cuba forwent revenue amounting to US$ 8.8 million.

  In addition, during the period under review, 635 tons of nickel-cobalt sulphide could not be sold owing to the refusal of foreign companies to purchase Cuban products for fear of being penalized by the United States. As a result, Cuba lost revenues of US$ 7.1 million.

- Empresa Mixta Moa Nickel, S.A. reported damage arising from the fact that products produced in third countries that contain nickel and cobalt manufactured in Cuba cannot be sold on the United States market. The total damage during the period under review amounts to US$ 3,610,700.

- In the period under review, 122 prestigious Cuban musical groups performed in different venues in the United States without a signed commercial contract between the two parties, owing to the application of the embargo policy. It is estimated that, had economic contracts been signed for these performances, Cuba could have earned US$ 1,690,000.

- While the agreements concluded between the Governments of Cuba and the United States have contributed to an increase in visits by United States citizens to Cuba, the legislative ban preventing them from travelling as tourists remained in effect during the period under review, in clear violation of their rights. Experts estimate that 15 per cent of the 14.3 million Americans who travelled to the Caribbean region in 2015 would have landed in Cuba. As a result, Cuba's civil aviation sector lost US$ 52.5 million in foregone airport tax revenue alone.

### 3.2 Finance

Almost two years since the Governments of Cuba and the United States decided to restore diplomatic relations and to begin a process towards normalizing ties, there have been no substantial changes in the implementation of the embargo policy in relation to the national banking system. Cuban monetary assets abroad continue to face persecution and remain under siege, and other obstacles preventing Cuban banks from conducting normal international transactions are still in place.

As was mentioned previously, the Government of the United States amended certain regulations related to the embargo during the reporting period. These include the measures taken in March 2016 in the financial sector to allow Cuban citizens

and banking institutions to use the United States dollar for transactions with the banks of third countries. Their full implementation would modify, to some extent, one of the most important aspects of the embargo. However, such measures continue to be only a limited step as long as the embargo remains in place.

At the time of reporting, no Cuban banking institution had been able to conduct a financial transaction in United States dollars. The state of uncertainty remains, even for the banks of third countries, which continue to be the victims of penalties applied by the United States financial authorities owing to alleged violations of Washington's regulations concerning relations with Cuba.

Below there appears a list of some of the 61 measures imposed against foreign banks between April 2015 and April 2016 for maintaining relations with Cuba, as examples of the implementation of this policy.

- Closing of bank accounts by two European banks.
- Cancellation of RMA[11] keys for SWIFT[12] services by 11 entities, of which 6 were European, 2 Latin American and 3 Asian.
- Withholding of funds by five banks, of which four were European and one was North American.
- Refusal to provide banking services by 12 entities, of which 3 were European, 8 were Latin American and 1 was Asian.
- Refusal to process or advise beneficiaries of letters of credit by 11 institutions, of which 3 were European, 7 were Asian and 1 was Latin American.
- Excessive delays owing to the need for licences from OFAC to process documents by two European banks.
- Return of banking transactions by 21 entities, of which 12 were European, 5 were Latin American, 1 was Asian, 1 was North American, 1 was African and 1 was from Oceania.
- Cancellation of correspondent banking agreements with one European bank.

Some examples of the implementation of this policy in the financial sector are as follows:

- A United States bank withheld a transfer ordered by an agency of the Central Administration of the Cuban State for payment to a Cuban embassy in Asia. The loss amounted to US$ 25,880.14.
- A European correspondent bank sent a message via SWIFT to a Cuban banking institution to inform it that it would not receive the cover payment needed to make a transfer payable to the order of a student. The reason given was that its correspondent bank refused to send the cover payment owing to the sanctions imposed as part of the embargo against Cuba.

[11] Relationship Management Application (RMA): Authorizations exchanged with correspondent banks in order to filter and impose restrictions on the messages received and the type of messages sent.

[12] Society for Worldwide Interbank Financial Telecommunications: an organization that operates an international financial communications network between banks and other financial entities.

- In December 2015, Empresa Mixta Moa Nickel S.A. signed a contract with Danish supplier Haldor Topsoe for the purchase of catalysers for its new acid plant project. The contract stipulated that 65 per cent of the value of the contract would be paid by a letter of credit opened with Banco Financiero Internacional, confirmed by Skandinaviska Enskilda Banken, and with Nordea Bank Danmark as the nominated bank.

  However, on 4 February 2016, Banco Financiero Internacional was notified that, as it was a Cuban bank, the requested transaction had been rejected by Nordea Bank Danmark. The financial costs resulting from that transaction amounted to US$ 1,100, and it was finally cancelled.

- The bank accounts of Cuba Solidarity Campaign in the United Kingdom were closed by The Co-operative Bank in November 2015. In March 2016 it was confirmed that that closure was the result of risk owing to the sanctions applied by OFAC, after The Co-operative Bank was acquired by hedge funds based in the United States.

  Cuba Solidarity Campaign wrote to the bank on several occasions requesting an explanation in that regard. The bank said that the closure was because of changes in its assessment of Cuban risk. It now classifies Cuba as "high risk".

- Biocon Limited, a company domiciled in India, has done business with CIMAB S.A.[13] since 2004 and has finalized many payments for purchases of Cuban goods and services. However, since 2014, Biocon has been facing problems in meeting its payment obligations. This is because the correspondent banks have not accepted the transactions ordered by Indian banks Canara Bank and Yes Bank, arguing that Cuba is on a list of countries subject to OFAC sanctions. This situation has yet to be resolved and several accounts past due are involved, totalling more than a million dollars in relation to payments for exports of Cuban goods to India and the corresponding fees.

- A similar case has arisen with the Malaysian company Inno Biologics Sdn Bhd, with which the Centre for Molecular Biology has accounts past due amounting to US$ 150,000. Inno Biologics reports that it attempted to transfer the funds from Malaysian CIMB Bank Berhad, where it holds its accounts, and through other banks, but so far has been unsuccessful owing to the embargo.

- The Centre for Genetic Engineering and Biotechnology has faced difficulties in paying to file and renew Cuban patents in Australia and New Zealand. This is because Australian banks refused to receive payments from Cuba. Faced with the potential loss of patents in that part of the world, attempts were made to find alternative channels for payment, such as through a European firm, which took on those services at rates over 5 per cent and 10 per cent higher, respectively, than the original fees.

- A similar situation occurred with the United Kingdom agency CPA through which payments are made in the United States for the patent on the Cuban vaccine against Haemophilus influenzae type B, or Hib. Those payments amounted to a total additional cost in the reporting period of US$ 2,705.41 above what would have been the cost of direct payment.

[13] CIMAB S.A. is the exclusive representative of the Centre for Molecular Biology. It also represents Laboratorios AICA and the cystostatics plant of the Drug Research and Development Centre.

- The Centre for Genetic Engineering and Biotechnology also entered into an agreement with Thai pharmaceutical company Pharmaland Co. Ltd. to export 60,000 vials of Heberbiovac HB vaccine against hepatitis B to Thailand, but was unable to do so. Despite the fact that for many years letters of credit had been received from the Thai bank Kasikornbank for such transactions, on this occasion, the bank could not open the letter of credit, owing to instructions received by the bank not to conduct transactions with Cuba as a result of the sanctions imposed by the United States. The loss of this contract caused Cuba to forego revenues of US$ 81,000.

- Tabagest S.A., part of Grupo TABACUBA, has been affected by fluctuations in the United States dollar exchange rate because it has incurred expenses and lost revenue through not being able to use the dollar as the legal currency for its international transactions. As a result of having to conduct transactions that allowed the proceeds of tobacco sales to be transferred at the lowest possible cost without being able to use United States banks or any other banking institution with interests in the United States, the company recorded total foreign exchange losses of US$ 723,746 at the end of 2015.

Other examples may be found in paragraph 1.4 above, and in chapter IV of the report.

## IV. The embargo violates international law. Extraterritorial application

### 4.1 Damage to Cuban entities

The six-month ban on ships that have called at Cuban ports from putting in at United States ports has a negative impact on the transport of goods by sea to Cuba, resulting in higher freight rates or shippers offering vessels that do not meet the technical requirements for entry into Cuban facilities. That increases risk and the cost of insurance premiums.

The well-known firm Drewry Shipping Consultants Ltd. reported that the main shipping lines carrying origin and destination containers to Cuba do so by means of trans-shipment through pivot ports in the Caribbean. For purposes of comparison, and to obtain an idea of the costs faced by Cuba, an evaluation was prepared of the fees paid to import goods to East Coast North America ports. Drewry estimated that Cuban importers pay an additional $400 in freight costs per 40 foot container, on average, rising to $700 per 40 foot container in the case of trade with South America.

Taking only the Mariel container terminal to the west of Havana into account, in the period studied, 169 such containers arrived from Brazil, exclusively for the Port of Mariel development project.

As a result of the embargo, all that freight had to be trans-shipped through pivot ports in Central American or other Caribbean countries. The main shipping lines used were the Mediterranean Shipping Company and Hamburg Süd. Cuba incurred additional costs of $421,797 as a result.

Other examples of the extraterritorial application of the embargo policy include the following:

- On 16 September 2015, the Danish company Scan Global Logistics A/S refused to carry a shipment for the diplomatic staff at the Cuban embassy in

Denmark, alleging that regulations related to the embargo placed restrictions on what it could ship to and from Cuba.

- In September 2015, Worldwide Flight Services, the warehousing service in Canada used by Cubana de Aviación for freight imports, announced that it would no longer work with that airline after 1 October because it had come under United States ownership. The lawyers for the new owners said that maintaining ties with the airline would be in breach of the Cuban embargo regulations. The end to this relationship had a substantial negative impact owing to the large volumes of freight moved through those warehouses to Cuba, including exports from Colombia, Ecuador and Algeria and shipments by Cuban workers.

- On 16 December 2015, the Royal Bank of Canada informed the Toronto office of Cubana de Aviación that the decision to close its dollar bank account on 28 October 2015 had been taken pursuant to the United States sanctions. The bank said that an OFAC licence would be necessary for it to be able to continue to provide its services.

- The Drug Research and Development Centre reported problems with the blister machine[14] for its chlorine plant. It has not been able to start using this piece of equipment or even to finalize its different formats because the manufacturer, the German company Romaco Pharmatechnik GmbH, refuses to enter into direct negotiations with Cuba owing to the embargo.

- Various baggage handling systems manufactured by a European multinational have been installed by Empresa Cubana de Aeropuertos y Servicios Aeronáuticos (ECASA) in the country's international airports. To cut costs and increase profits, the multinational decided to move its subsidiary from Europe to Asia. Because ECASA was unable to find another geographically closer supplier of spare parts for the systems, for which the manufacturer has technical exclusivity, it had to pay an extra 50 per cent, and incurred additional costs of US$ 45,000.

- Twice a year, the crews and technicians that operate and maintain Cuban aircraft have to undergo specialized flight simulator training to ensure flight safety. There is a country with ATR simulators in the Americas but Cuban pilots are not allowed to use them because the company that operates the facilities is the subsidiary of a United States company. As a result, the Cuban personnel have had to travel to Europe, with a corresponding US$ 200,000 increase in their transportation and subsistence expenses.

### 4.2. Impact on international cooperation

Because it cannot conduct international financial transactions in United States dollars, Cuba has to require payment in euros or Canadian dollars for the professional services and goods it offers pursuant to agreements and contracts entered into for international cooperation activities.

[14] Equipment that makes packaging for small products. In the pharmaceutical industry, the most common type are push-through blisters, whose cavities are sealed with a thin film of aluminium. They are used mainly to package capsules, pills or tablets.

- Despite the measures taken by the President of the United States, it is actually still impossible to conduct transactions in United States dollars. That has made it difficult to collect payment for the professional services provided to various countries in Latin America and Africa. Collection of US$ 94,898 for services provided in Ecuador has not been possible and an Ethiopian bank continues to withhold US$ 26,686, corresponding to payment for the technical and professional instruction services provided by a group of Cuban professionals.

- In Guatemala, 23 Cuban physical education instructors had to cease their training activities because no bank could facilitate the transfer to Cuba of remittances for their services. Banking subsidiaries in Guatemala are linked to United States banks which prevent such transactions.

- In Paraguay, another 12 physical education instructors stopped their training work, because they similarly had no way to transfer the payments for their services. The Paraguayan cycling federation used to transfer the money through the SWIFT system of German bank Commerzbank AG in Frankfurt, but that institution said that it could no longer make such transfers because Cuba was subject to United States sanctions.

### 4.3. Other extraterritorial impacts

- On 16 July 2015, the Lebanese bank Fransabank was forced to close an account opened in Beirut by the Prensa Latina news agency on 25 June, owing to the embargo regulations. Fransabank notified Prensa Latina that its claims and complaints department had received notice from OFAC instructing it to cancel its services because the news agency was on the Specially Designated Nationals and Blocked Persons List in relation to Cuba.

- On 12 September 2015, the United Kingdom supermarket chain ASDA, which has belonged to the United States group Walmart since July 1999, received instructions to cease to offer and remove from sale all Cuban goods or products derived from them, owing to the embargo regulations. Hunters & Frankau, the exclusive distributor for Habanos, S.A. in the United Kingdom, was seriously harmed by this measure, because it sold five lines — three made in Cuba, part of the product range sold by Habanos S.A., and two from Switzerland (Villiger), containing a high proportion of Cuban tobacco — in those outlets, with total revenue of more than £650,000. The products in question included Villiger Export Pressed, H. Upmann Coronas Junior, Punch Petit Coronations and Montecristo Minis.

- In December 2015, the company Honda Canada started to refuse to enter into new contracts or to renew existing ones for the sale of cars to the Cuban consulate in Montreal, Canada, stating that this was because its parent company was domiciled in the United States.

- On 12 February 2016, German bank Commerzbank AG informed the Cuban embassy in Berlin that its bank account would soon be closed, giving it eight weeks' notice.

- On 23 March 2016, the Dutch bank ABN AMRO informed companies with ties to Cuba that it would maintain its policy of not processing any payments related to Cuba in United States dollars because the new United States regulations were "unclear".

- On 18 April 2016, it was reported that Italian bank Banca Popolare refused to make three payments ordered by tour operator Cubamar, a company specializing in incentive travel, conventions, fairs and exhibitions, because the beneficiary bank was Cuban bank Banco Financiero Internacional.

- The Dutch mail and shipping company TNT B.V. informed the Cuban embassies in Austria and Turkey that it would completely suspend the international courier services it had been providing to them because it had been acquired by United States company FedEx Corporation.

## V. Universal rejection of the embargo

### 5.1. Opposition within the United States

Many segments of United States society have always rejected the senseless embargo policy against Cuba. Their number has increased in recent years, peaking after the historic announcements by the Presidents of Cuba and the United States on 17 December 2014.

Countless voices have been calling for a change in United States policy towards Cuba. The United States press has echoed those appeals; the editorials of, inter alia, the *New York Times* and *Bloomberg* have featured the growing support among both political parties and society in general for a lifting of the embargo against Cuba. They have even called on the United States Congress to support this new policy towards Cuba, in the light of the fact that the majority of United States political and civic representatives, including representatives of Cuban origin, back it.

Surveys conducted by such well-known United States institutions as the television station CBS News, AP-GfK, the Pew Research Center, the lobbying group Engage Cuba and the think tank The Atlantic Council also confirm the enormous support within United States society for an end to the policy. On average, they show that 70 per cent of United States citizens support lifting the embargo against Cuba, with an even higher proportion among the Democrats who support President Obama's policy towards Cuba: approximately 80 per cent of those polled.

Following are some examples of the opposition to the embargo within the United States:

- On 9 July 2015, the United States Chamber of Commerce, the Church World Service, the National Council of Churches, the United States Agriculture Coalition for Cuba, the Tampa Chamber of Commerce, the Council of the Americas, the National Foreign Trade Council, the American Society of Travel Agents, the Arkansas Rice Growers Association, the American Civil Liberties Union, the Center for Democracy in the Americas and other organizations published a declaration in which they urged Congress to support the opening of the United States embassy in Havana because of the important role it would play in increasing sales of agricultural and technological products to Cuba.

- On 13 July 2015, the Howard Baker Forum launched the Cuba Consortium, comprising companies, non-profit organizations, investors and entrepreneurs interested in promoting the normalization of relations between the United States and Cuba and in informing its members of the opportunities available through engagement with Cuba.

- On 31 August 2015, Kathryn Karol, vice-president of Caterpillar Inc., said that the United States embargo against Cuba has curbed trade between the two countries for more than 50 years. She also said that Caterpillar would continue to support the lifting of the embargo.

- On 25 August 2015, the United States-Cuba Business Council was established at the headquarters of the United States Chamber of Commerce, with the participation of several entrepreneurs and the presidents of both countries' Chambers of Commerce, Thomas J. Donohue and Orlando Hernández Guillén, respectively. Donohue said that the Council would work tirelessly to ensure that both countries could take advantage of the new avenues for trade, investment and economic cooperation in the bilateral relationship. He also said that for too long, the relationship between the two countries had been defined by their differences and burdened by the past, while lacking a clear path forward. He further emphasized that the establishment of the Council was a step towards the opening of a new chapter in relations between the countries.

- On 28 September 2015, the President of the United States, Barack Obama, in his remarks to the General Assembly of the United Nations, said that for 50 years his country had pursued a failed policy toward Cuba. He said that he was confident that as commerce and people-to-people ties increased, the United States Congress would inevitably lift the embargo.

- On 8 October 2015, a group of 10 Governors, from the states of Alabama, California, Idaho, Minnesota, Montana, Pennsylvania, Vermont, Virginia and Washington, sent a letter to the United States Congress urging it to adopt decisive steps to end the embargo on Cuba.

- On 14 October 2015, in statements to the press, the executive vice-president of the Montana Grain Growers Association, Lola Raska, said that removing sanctions on Cuba would open new markets and provide important opportunities for Montana farmers and ranchers. She also said that she hoped that Congress would take those important steps to support producers in Montana.

- On 2 November 2015, during the annual conference of the Bureau of Industry and Security, United States Secretary of Commerce Penny Pritzker said that her Government strongly supported lifting the embargo and hoped that Congress would repeal it in the near future.

- On 2 November 2015, Arkansas Governor Asa Hutchinson sent a letter to United States Congress leaders in which he wrote that he was in favour of easing the embargo's sanctions. He also indicated that the current cash-in-advance requirement limited a potential market of nearly US$ 40 million for products from Arkansas. He further said that allowing flexibility in credit extension was an important next step and added that Congress could support enhanced livelihoods for Americans by moving legislation (H.R. 3687 and S. 1049) which provided financial flexibility to sell American commodities to Cuba.

- On 16 December 2015, a group of 12 United States legislators announced the establishment of a Cuba Working Group in Congress which proposed to work to lift the embargo against that country. The representatives who signed the constitutional declaration were Republicans Kevin Cramer (North Dakota),

Rick Crawford (Arizona), Tom Emmer (Minnesota), Ted Poe (Texas), Mark Sanford (South Carolina) and Reid Ribble (Wisconsin); and Democrats Kathy Castor (Florida), Jim McGovern (Massachusetts), Sam Farr (California), Barbara Lee (California), Rosa DeLauro (Connecticut) and Nydia Velázquez (New York).

- On 17 December 2015, President Barack Obama, in a press release on the anniversary of the changes in the Cuba policy, again urged the United States Congress to lift the embargo as a way to help the Cuban people.

- On 20 December 2015, a group of 10 entrepreneurs, of Cuban origin, for the most part living in Miami, published an open letter in the *Miami Herald*, calling the embargo against Cuba ineffective and urging Cuban Americans to endorse the President's new policy towards the island.

- On 22 December 2015, Minnesota Agriculture Commissioner, David Frederickson, issued a news release in which he urged Congress to eliminate the current limitations on trade with Cuba.

- On 4 January 2016, Virginia Governor Terry McAuliffe, in statements made to the press before the opening of the business forum attended by entrepreneurs from his state and Cuban officials, asked for the embargo against Cuba to be lifted and the measures that hinder normal trade between the two countries to be repealed.

- On 14 January 2016, the President of the United States Chamber of Commerce, Thomas J. Donohue, in his annual speech on the state of business, said that his organization was a leading supporter of removing barriers to trade and travel with Cuba.

- On 31 January 2016, the vice-president of the United States Agriculture Coalition for Cuba, Paul Johnson, told media outlet *Hagstrom Report* that Congress should act to repeal the embargo and allow agricultural exports to Cuba and financing for those exports.

- On 8 March 2016, Senator Amy Klobuchar (Democrat, Minnesota), head of the Senate Tourism Caucus, sent a letter to the United States Secretary of the Treasury, Jack Lew, and the United States Secretary of Commerce, Penny Pritzker, calling for changes in the regulations that would permit United States investments in the Cuban hotel industry.

- On 24 March 2016, the National Association of Manufacturers sent a letter to Tom Emmer (Republican, Minnesota) and Kathy Castor (Democrat, Florida) to express support for the legislation calling for an end to the trade barriers between Cuba and the United States, which the two representatives had co-sponsored. The letter explained that eliminating the embargo against Cuba would allow for increased economic activity between the two countries and that the Association therefore urged Congress to pass legislation to normalize trade relations with Cuba.

### 5.2. Opposition by the international community

Despite the re-establishment of diplomatic relations between Cuba and the United States, the reopening of embassies in both capitals and the visit by President Obama to Havana, the embargo remains in force. The international community is no

stranger to this reality and maintains its strong opposition to the continuation of the embargo. A number of international and regional forums have demanded the end of that genocidal policy via special communiqués, statements and resolutions. The following are some examples:

- During the general debate opening the seventieth session of the General Assembly, 47 heads of delegation, including 27 Heads of State or Government, declared themselves in favour of lifting the embargo.

- On 27 October 2015, the General Assembly adopted, for the twenty-fourth time in succession, a resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Resolution 70/5 was adopted by 191 votes in favour, only 2 against, and no abstentions.

A total of 21 speakers took the floor before the adoption of the resolution, including the representatives of eight coordination groups and regional and subregional organizations (namely, the Group of 77 and China, the Movement of Non-Aligned Countries, CELAC, the Caribbean Community, the Group of African States, the Organization of Islamic Cooperation, the Southern Common Market and, for the first time, the Association of Southeast Asian Nations). Another 19 delegations also explained their position against the embargo after the resolution was adopted.

- In their Ministerial Declaration of 24 September 2015, the ministers for foreign affairs of the member States of the Group of 77 and China rejected the application of the embargo against Cuba and the imposition of unilateral coercive measures against developing countries. The text was adopted at the Annual Meeting of Ministers of the Group, held during the seventieth session of the General Assembly in New York. They also welcomed the re-establishment of diplomatic relations between Cuba and the United States and encouraged President Obama "to take all actions within his executive powers to substantially modify the application of the blockade against Cuba and the United States Congress to initiate, as soon as possible, a discussion on removing it".

- On 24 November 2015, the Council of Ministers of the African, Caribbean and Pacific Group of States, at its 102nd session, adopted a declaration calling for the lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba, while welcoming the re-establishment of diplomatic relations between the two countries.

Furthermore, the Ministers stressed the courage, resilience and dignity of the Cuban people, which they considered to be an example for other nations. They also highlighted the spirit of solidarity and internationalism of the Cuban people, and their contribution to the liberation of several countries across the African continent and to the economic and social development of many developing countries. In addition, they appreciated the human resources training and cooperation programmes carried out by Cuba and particularly noted the valuable contribution of Cuban experts to the fight against the Ebola virus disease.

- On 27 November 2015, the 41st regular meeting of the Latin American Council of the Latin American and Caribbean Economic System, held in the Bolivarian Republic of Venezuela, approved a Declaration on "Ending the

economic, commercial and financial blockade imposed by the United States against Cuba".

- The call on the Government of the United States to put an end to the embargo was endorsed in the Political Declaration of the fourth CELAC Summit, held in Quito, Ecuador, on 26 and 27 January 2016. A special declaration was also adopted welcoming the re-establishment of diplomatic relations between the two countries and the opening of their embassies. Among other issues, the Heads of State and Government of Latin America and the Caribbean again urged President Obama "to take all actions within his executive powers to substantially modify the application of the blockade against Cuba" and the United States Congress was called upon to proceed with its elimination.

- At the twenty-sixth African Union Summit held in Addis Ababa, Ethiopia, on 30 and 31 January 2016, Heads of State and Government called for the lifting of the unjust United States embargo against Cuba and urged the President of the United States to take all necessary measures, within his broad executive powers, to address all outstanding issues involving the embargo.

- The Heads of State and Government of the member States of the Association of Caribbean States, in the Havana Declaration adopted at their seventh summit on 4 June 2016, reiterated their deepest rejection of the application of unilateral coercive measures, reaffirmed their call to the Government of the United States to put an end to the economic, commercial and financial blockade imposed on the sister nation of Cuba, to repeal the Helms-Burton Act and to cease its extraterritorial application, and urged the President of the United States to use his broad executive powers to substantially modify the blockade.

During the period under review, the website #CubaVSBloqueo has registered more than 80 statements and reports against the embargo by solidarity movements, friendship associations and Cubans living abroad, as well as various non-governmental organizations and provincial or municipal governments from diverse countries.

In addition to these reports, pronouncements have been made by various parliaments, political parties and government and religious officials. The following are some examples:

- In September 2015, prior to the visit of His Holiness Pope Francis to Cuba, the Secretary of State of the Holy See, Pietro Parolin, requested the lifting of the economic embargo against Cuba, which, in his view, especially hurts the poor.

- On 26 January 2016, at the launch of the Second International Conference "With All and for the Good of All", held in Havana, the Secretary-General of the Union of South American Nations, Ernesto Samper, demanded the return to Cuba of the illegally occupied territory in Guantánamo and the end of the economic, commercial and financial embargo imposed by the United States.

- In February 2016, at all his official meetings held in Moscow and Havana and in interviews with the Russian, Cuban and foreign media, His Holiness Patriarch Kirill of Moscow and All Russia reiterated his rejection in the strongest terms of the genocidal siege that had been imposed by Washington

for 54 years and was deliberately designed to cause hunger, disease and desperation among the Cuban people.

- On 2 February 2016, during the State visit to France by the President of the Council of State and the Council of Ministers of Cuba, Raúl Castro Ruz, the President of the French Republic, François Hollande, reiterated France's position in favour of lifting the embargo imposed on Cuba by the United States.

- On 24 March 2016, the Minister for Foreign Affairs and Foreign Trade of Jamaica, Senator Kamina Johnson Smith, stressed the historic significance of the visit by United States President Barack Obama to Cuba, while reiterating her country's willingness to continue to advocate for an end to the embargo against Cuba.

- On 31 March 2016, the Deputy Prime Minister and Minister of International Relations and Cooperation of Namibia, Netumbo Nandi-Ndaiwah, reiterated the call for the United States to lift the embargo against Cuba.

- On 8 April 2016, at the sixty-second Legislature of the Chamber of Deputies of Mexico, the Mexico-Cuba Friendship Group requested the United States Congress to put an end to the economic, commercial and financial embargo imposed against Cuba. The request was made through an official letter sent to each of the United States representatives and senators.

- On 13 April 2016, the Parliament of Galicia in Spain adopted a declaration calling for the lifting of the embargo that had been directed against the Cuban people for over 50 years.

- On 22 April 2016, the Basque Parliament issued a unanimously adopted declaration calling for the lifting of the United States embargo against Cuba.

- On 25 April 2016, during its annual conference, the Sinn Féin party of Ireland passed a motion that took note of the continued progress towards the normalization of relations between Cuba and the United States and reiterated the call to that country to fully and unconditionally lift its illegal embargo against Cuba.

- From 16 to 18 May 2016, the Euro-Latin American Parliamentary Assembly took place in Lisbon, Portugal, and was attended by more than 120 legislators from Europe and Latin America. This large assembly of parliamentarians adopted the Lisbon Declaration which, inter alia, demands an end to the United States embargo against Cuba. It also spoke in favour of eliminating the common position of the European Union and returning the territory illegally occupied by the Guantánamo Naval Base.

**Conclusions**

The economic, commercial and financial embargo applied by the United States Government against Cuba remains in force and continues to have profound impacts on the Cuban economy and its people. This policy substantially restricts Cuba's right to development, being the main obstacle thereto.

Despite the repeated calls by President Barack Obama for Congress to put an end to the embargo, and the measures promulgated by the White House to date,

which are positive but insufficient, the financial persecution against Cuba's foreign transactions and the embargo's extraterritorial reach have remained unchanged.

Under the embargo Cuba is still unable to freely export and import goods and services to or from the United States and it cannot have direct banking relations with that country or receive United States investments in other sectors of the economy, with the exception of telecommunications. Fears about developing relations with Cuba remain within the United States banking sector and that of third countries, even though the United States has authorized the use of its dollar for international financial transactions involving Cuba. However, to date, this measure has yet to be implemented.

The policy of financial persecution by the United States Government against Cuba's international transactions has been strengthened. This is reflected in the imposition of multimillion-dollar fines on dozens of banks. The deterrent effect and the refusal of banks to interact with Cuba have therefore intensified. This has resulted in the cessation of operations, the closure of Cuban accounts abroad and the rejection of transfers to or from Cuba, even in non-dollar currencies.

The economic damage caused to the Cuban people through application of the United States economic, commercial and financial embargo against Cuba, taking into account the depreciation of the dollar against the price of gold on the international market, amounts to US$ 753.688 billion, despite the decline in the value of gold compared to the previous period. At current prices, over all these years, the embargo has inflicted damages worth more than US$ 125.873 billion.

The examples compiled in this report demonstrate once again that the economic, commercial and financial embargo is not merely a bilateral matter between the United States and Cuba. Its extraterritorial nature is being maintained and applied rigorously, with total impunity and in clear violation of international law.

The embargo against Cuba must stop. It is the most unjust, severe and long-lived system of unilateral sanctions ever applied to a country. On 24 occasions, the United Nations General Assembly, by an overwhelming majority, has decided in favour of respect for international law and compliance with the purposes and principles enshrined in the Charter of the United Nations.

The repeated calls of President Barack Obama to end the embargo against Cuba are not sufficient. He should consistently make the fullest use of his executive powers to strip the embargo, once and for all, of its most substantive contents. That would be in line with the demands of the international community regarding this policy.

The total elimination of the embargo is an essential step for progress towards the normalization of bilateral relations between the United States and Cuba. This must be done unilaterally and unconditionally by the Government of the United States.

Once again, Cuba and its people are confident that they can count on the support of the international community in their legitimate demand to put an end to the economic, commercial and financial embargo imposed by the United States Government.

## Democratic People's Republic of Korea

[Original: English]
[6 April 2016]

It is the consistent position of the Government of the Democratic People's Republic of Korea to oppose all kinds of sanctions including economic, commercial and financial embargoes on sovereign States.

The unilateral and extraterritorial embargo imposed by the United States against Cuba constitutes an obvious infringement upon the sovereignty of Cuba in clear violation of the United Nations Charter and international laws, undermines the freedom of trade and navigation and the most fundamental norms of coexistence and respect among sovereign States, and represents the violation of human rights denying the people's right to life and right to development, and thus deserves strong denunciation by the United Nations and the international community.

The United States blockade policy against Cuba, which has persisted for over half a century, has caused serious losses amounting to astronomical figures in the economic and social fields of Cuba and has also had an impact on third countries that have normal economic and trade relations with Cuba, thus remaining the main obstacle to the socioeconomic development of the country and its people's living. As such, the criminal, inhumane and anachronistic blockade policy by the United States against Cuba should be terminated without delay, in conformity with the relevant United Nations resolutions and the demands of the international community.

It is the consistent position of States Members of the United Nations, including Cuba, that a key element in the United States policy against Cuba, the economic, commercial and financial blockade, remains intact and the normalization of the bilateral relations between Cuba and the United States will not be possible unless the blockade is lifted.

Ending the unilateral economic, commercial and financial embargo by the United States against Cuba is the unanimous demand today of the international community, which aspires to sustainable development in a peaceful environment.

The Government of the Democratic People's Republic of Korea fully supports the efforts of the Government and people of Cuba to end the United States embargo and will continue to further expand and develop economic and trade relations with Cuba in the future.

The Democratic People's Republic of Korea reiterates its support for and solidarity with the struggle of the Government and people of Cuba to safeguard national dignity and sovereignty against the unilateral blockade by the United States.

## Democratic Republic of the Congo

[Original: French]
[4 June 2016]

The Government of the Democratic Republic of the Congo welcomes the importance that the Secretary-General continues to attach to the issue of the economic, commercial and financial embargo imposed by the United States of

America against Cuba despite the many General Assembly resolutions calling for the embargo to be lifted.

It commends the recent steps taken by the President of the United States to lift certain sanctions, in particular the restrictions on travel for family reasons and on remittances, the authorization for the development of communications services between the two countries and the reopening of the United States embassy in Havana and the Cuban embassy in Washington, D.C.

However, it aligns itself with the will of the international community, expressed through the adoption of General Assembly resolution 70/5 by 191 States, and supports any new resolution or initiative to engage Cuba and the United States in a constructive and fruitful dialogue to completely end the embargo.

## Djibouti

[Original: English]
[1 April 2016]

The Republic of Djibouti wishes to reaffirm its fundamental commitment to the purposes and principles of the Charter of the United Nations and the rules of international law. Furthermore, the Republic of Djibouti has voted in favour of General Assembly resolution 70/5, and thus has not promulgated or applied any laws of the type referred to in the preamble to the above-mentioned resolution. As such, the necessity of repealing or invalidating any such laws or measures does not arise.

## Dominica

[Original: English]
[13 April 2016]

The Commonwealth of Dominica has neither promulgated nor applied any law or measure which in any way hinders the freedom of trade and navigation against the Republic of Cuba.

The Government of the Commonwealth of Dominica unreservedly opposes the extraterritorial enforcement of national legislation that demonstrates disregard for and undermines the sovereignty of other states without the authorization of the United Nations. These unilateral actions are contrary to the Charter of the United Nations, international law and customs and the principle of non-interference in the internal affairs of other States.

The Government of the Commonwealth of Dominica has embraced and will continue to embrace the Government and people of the Republic of Cuba as a fellow member of the United Nations, CELAC, the Bolivarian Alliance for the Peoples of Our America and a sister nation of the Caribbean. For over 35 years, the Governments and peoples of both nations have enjoyed strong cultural and political ties and solidarity in a number of areas of cooperation, especially education, health, and sports.

The Government of the Commonwealth of Dominica applauds the calls from President Obama to remove the political and economic embargo against the Republic of Cuba. The establishment of diplomatic ties between the United States and the

Republic of Cuba and the historic visit of President Obama to the Republic of Cuba in March 2016 are undoubtedly progressive steps towards ending the anachronistic United States policy against the Government and people of the Cuban republic.

The Government of the Commonwealth of Dominica, moreover, calls for the immediate implementation of actions that would result in the full integration of Cuba into the international economic, financial and trading systems and put an end to the suffering of the Cuban people.

## Dominican Republic

[Original: Spanish]
[23 May 2016]

The Dominican Republic has reiterated in various international and regional forums that it is governed in its international relations by the norms and principles of the self-determination of peoples and the sovereignty of States, enshrined in the Charter of the United Nations and in public international law, and, consequently, will not promulgate, promote or apply any provisions that involve intervening in the internal affairs of other States.

## Ecuador

[Original: Spanish]
[4 May 2016]

In accordance with the standing policy of Ecuador condemning the decades-long illegal embargo imposed by the United States against Cuba and its people, no law or measure that could constitute any form of economic, commercial or financial embargo against Cuba has been promulgated or is in force in Ecuador.

At the same time, Ecuador calls for the immediate and unconditional lifting of all unilateral measures imposed by the United States against this Caribbean nation, which are causing it serious economic and social damage and subjecting its people to a large-scale humanitarian crisis.

By consistently supporting the resolutions adopted by the United Nations General Assembly on this issue, Ecuador has made manifest its position that the extraterritorial application of unilateral measures against another country — such as the measures contained in the 1992 United States Cuban Democracy Act and the 1996 Helms-Burton Act — is completely unacceptable.

Lastly, in line with increasing cultural interaction and tourism and the improvement in bilateral relations between the two States, Ecuador trusts that the embargo will end soon.

## Egypt

[Original: English]
[30 May 2016]

The Arab Republic of Egypt has voted in favour of General Assembly resolution 70/5 in line with its consistent position that unilateral sanctions imposed

outside the United Nations framework are not a course of action that Egypt can condone.

The embargo imposed by the United States against Cuba constitutes a clear violation of the principles of multilateralism and is in breach of the principles of the Charter of the United Nations and international law, as well as respect for sovereignty and territorial integrity and mutual trust.

The unjust and unjustifiable embargo causes undue economic and social hardship on the Cuban people. It also affects the vital sectors of the Cuban economy. This embargo is an anachronism from a bygone era that must be lifted. The embargo has an extended effect on companies and citizens from third countries. These extraterritorial effects violate the sovereign rights of many Member States. Egypt is deeply concerned over the widening of the extraterritorial nature of the embargo, which is an added argument in favour of the prompt elimination of those unjustified sanctions.

Egypt welcomes the establishment of diplomatic relations between Cuba and the United States and the willingness expressed by the President of the United States to work for the lifting of the blockade imposed on Cuba for more than five decades.

Egypt also recognizes the advances made with regard to the regulations issued by the Government of the United States in some areas. Egypt is hopeful that these steps will pave the way towards the normalization of all aspects of bilateral relations between the two countries.

However, while these advances constitute a step in the right direction, they remain insufficient, as the imposition of the blockade has remained unchanged and the laws and regulations underpinning it continue to be in force and implemented with utmost severity.

Egypt believes that many steps and brave decisions still need to be taken by the United States towards the immediate lifting of the embargo imposed against Cuba to allow for the full normalization of relations between the two countries.

Egypt believes that the embargo continues to be an absurd and morally insupportable policy, which has not served the purpose of breaking the Cuban people's determination to control their own future. And in spite of all the detrimental repercussions and adverse impacts of the embargo, the Government of Cuba has made enormous efforts in meeting the needs of its people.

What has been proven through over 54 years of embargo against Cuba is that, in this globalized world, the Cuban people can still survive thanks to their perseverance, resistance and hope.

Egypt hopes that the dialogue between the two countries based on mutual respect, observance of the principles of international law and of the Charter of the United Nations, will lead to the immediate lifting of the embargo and the normalization of bilateral relations between the two countries in all their aspects.

In this new context, Egypt once again urges the United States to seize this historic opportunity, to comply immediately and fully with all 23 General Assembly resolutions, which were adopted by the overwhelming majority of the international

community, and to put an end to the unjustified embargo, which should never have existed and must cease once and for all.

## El Salvador

[Original: Spanish]
[19 May 2016]

The Republic of El Salvador, which is committed to the purposes and principles enshrined in the Charter of the United Nations, international law and multilateralism, and is fully aware of the need to eliminate the unilateral application of economic and commercial measures by one State against another that affect the development of the latter's people and free access to international trade, reaffirms its strong support for calls to end the economic, commercial and financial embargo imposed against Cuba.

We are concerned about the measures taken by the United States Department of the Treasury to penalize the United States company, Halliburton, for the third time for violating the embargo against Cuba; those actions run counter to the principles governing international economic, commercial, monetary and financial relations, as well as numerous resolutions of the United Nations and other international organizations.

The Republic of El Salvador would like to emphasize that the thaw in relations between Cuba and the United States has had a positive impact not only on relations between the two countries but on the continent as a whole. El Salvador is pleased with the re-establishment of diplomatic relations between Cuba and the United States; in this new and welcome environment, the continuation of the embargo is completely incongruous. El Salvador therefore trusts that, in this favourable climate, the expressed will to lift the economic, commercial and financial embargo against Cuba will become a reality as soon as possible.

The members of the international community are currently witnessing and bringing about great changes. The signature of the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals in September 2015 marked a decisive moment in the international agenda, which is full of major global opportunities and challenges, and does not and cannot tolerate the disregard for fundamental freedoms and principles that is implicit in the economic, commercial and financial embargo against the Republic of Cuba.

Despite that unilateral measure, Cuba, with perseverance and self-determination, has managed to overcome obstacles and adversity in an exemplary manner. For this reason, El Salvador applauds it for the work it has been doing to open and strengthen its economy and to improve its production processes.

Finally, the Republic of El Salvador recognizes the growing strength of the international community's call to lift the embargo, and once more joins this call and reiterates the urgent need to end the application of the economic, commercial and financial embargo against Cuba.

## Equatorial Guinea

[Original: Spanish]
[20 June 2016]

The Republic of Equatorial Guinea reiterates its unfailing support for the Government and people of Cuba with regard to the full lifting of the embargo in all its aspects.

Consequently, the Government of the Republic of Equatorial Guinea once again welcomes the positive developments that have recently taken place, namely, the normalization of diplomatic relations between Cuba and the United States, a process initiated on 17 December 2014, and the visit to Cuba of President Barack Obama.

Those positive developments should now be followed by the full lifting of the embargo through legislative action by the United States Congress and the use of the executive powers of the United States President, thus putting an end to the situation once and for all, as the United Nations and almost all Member States have been demanding for many years.

## Eritrea

[Original: English]
[20 May 2016]

The Government of the State of Eritrea has not promulgated or applied any laws or measures of the kind referred to in General Assembly resolution 70/5.

While Eritrea views positively the recent diplomatic developments between the United States and Cuba, Eritrea remains strongly opposed to the continuation of the economic, commercial and financial embargo imposed by the United States against Cuba, which is inconsistent with the principles of international law and undermines the efforts of Cuba and its people to achieve all the internationally agreed developments goals, including the Sustainable Development Goals. In this regard, Eritrea joins other States in calling upon the United States to immediately repeal or invalidate all laws or measures which continue to adversely impact the livelihoods of the Cuban people and Cuban nationals living in other countries.

## Ethiopia

[Original: English]
[23 June 2016]

Ethiopia views the continued imposition of an economic, commercial and financial embargo against Cuba as a violation of the principle of the sovereign equality of States and of non-interference in each other's domestic affairs. In addition, the embargo has caused material losses and economic damage to the people of Cuba.

Ethiopia therefore wisnes to see the embargo lifted in order for the people and Government of Cuba to enjoy their sovereignty in accordance with the principles and values enshrined in the Charter of the United Nations.

Ethiopia believes that constructive dialogue is necessary to foster mutual trust and understanding among the nations of the world.

Ethiopia welcomes the visit of the President of the United States of America to Cuba and his expressed commitment to lift the embargo which he characterized as an outdated burden both to the peoples of Cuba and the United States of America.

## European Union

[Original: English]
[3 May 2016]

Welcoming the bilateral rapprochement between the United States and Cuba, the European Union and its member States believe that the unilateral United States measures against Cuba are increasingly outdated and should be ended. The economic, commercial and financial embargo imposed by the United States contributes to the economic problems in Cuba, negatively affecting the living standards of the Cuban people and having consequences in the humanitarian fields as well. The measures directed against Cuba negatively affect the European Union's interests and violate commonly accepted rules of international trade.

The European Union and its Member States have been clearly expressing their opposition to the extraterritorial extension of the United States embargo, such as that contained in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

In November 1996, the Council of Ministers of the European Union adopted a regulation and a joint action to protect the interest of natural or legal persons resident in the European Union against extraterritorial effects of the Helms-Burton legislation, which prohibits compliance with that legislation. Moreover, on 18 May 1998, at the European Union/United States Summit in London, a package was agreed covering waivers to titles III and IV of the Helms-Burton Act; a commitment by the United States Administration to resist future extraterritorial legislation of that kind; and an understanding with respect to disciplines for the strengthening of investment protection. The European Union calls upon the United States to implement its side of the 18 May 1998 understanding.

## Fiji

[Original: English]
[31 May 2016]

The Government of Fiji reaffirms its support for resolution 70/5, calling for the ending of the economic, commercial and financial embargo imposed by the United States against Cuba.

The Government of Fiji takes this opportunity to reiterate its position that all States should refrain from imposing economic sanctions of the nature referred to in the resolution, in conformity with their obligations under the Charter of the United Nations.

Fiji wishes to reaffirm that it has not taken any measures that might impair economic, commercial or financial relations between Cuba and Fiji. On the contrary,

Fiji is intent on developing cooperative relations with all countries and in this regard fully supports the call for the lifting of the embargo against Cuba.

## Gabon

[Original: French]
[1 July 2016]

The Government of Gabon, reiterating its commitment to peace through the peaceful settlement of disputes, voted in favour of resolution 70/5. It did so in accordance with its obligations under the Charter of the United Nations and pursuant to the purposes and principles of that instrument, which are based on cooperation among States. Gabon constantly strives to promote friendly relations and non-intervention in the internal affairs of States.

Gabon welcomes the progress made in the past few months, particularly the diplomatic rapprochement between Cuba and the United States of America. It also welcomes the manifest desire of the United States authorities to normalize relations between the two countries and encourages both countries to advance further along this path. It remains concerned about the continuation of the economic, commercial and financial embargo against Cuba and its adverse effects on the Cuban people and Cuban nationals living in other countries.

Gabon expresses its strong hope that the United Nations resolutions echoing the collective call for the lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba will be respected and implemented, thus allowing Cuba to participate in and benefit from international trade.

Gabon also calls on the international community to continue its efforts to ensure that relations between the two States are definitively normalized.

## Gambia

[Original: English]
[7 June 2016]

The Government of the Gambia has neither promulgated nor applied any laws or measures of the kind referred to in General Assembly resolution 70/5. Accordingly, the Gambia is opposed to the continued enactment or application of such laws, acts or measures against Cuba that impede the free flow of international trade and navigation. The embargo against Cuba contravenes the fundamental principles of international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, violating the sovereign equality of States and of non-interference in the domestic affairs of other Member States. The embargo has no legitimate or moral justifications given the fact that it continues to undermine the essential rights to economic emancipation and to development of the Cuban people; it must come to an immediate end.

As a responsible member of the international community, the Gambia therefore joins other Member States in calling for the immediate repeal or invalidation of such laws, measures or policies that impede the free flow of

international trade and navigation, as they are contrary to the purposes and principles of the Charter of the United Nations and international law.

It is our fervent desire that the relevant United Nations resolutions echoing collective concerns on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba will be respected and implemented without further delays.

## Georgia

[Original: English]
[27 April 2016]

Georgia reaffirms its support for resolution 70/5. Georgia has not promulgated or applied laws or taken measures against Cuba that would prohibit or restrict economic, commercial or financial relations between Cuba and Georgia.

## Ghana

[Original: English]
[29 June 2016]

Ghana welcomes the re-establishment of diplomatic relations between Cuba and the United States of America in July 2015.

Ghana considers the visit to Cuba by President Barack Obama in March 2016, the easing of travel restrictions on nationals of the United States of America and the removal of Cuba from the list of State sponsors of terrorism as bold steps taken by the United States of America towards the normalization of relations with Cuba.

While commending the United States of America for these initiatives, Ghana calls upon the United States of America to take all necessary measures to lift the embargo against Cuba consistent with the obligations enshrined in the Charter of the United Nations and principles of international law relating to non-interference in the internal affairs of other countries, and the right to all nations to determine their own paths of socioeconomic and political development.

In compliance with relevant General Assembly resolutions, including resolution 70/5, Ghana has refrained from the promulgation and application of any legislation or measures that would adversely affect the economic, political and social interests of Cuba.

Ghana has also maintained cordial and mutually beneficial relations with Cuba which have been strengthened and deepened over the years through important technical and scientific cooperation programmes in the areas of health, education and agriculture, with immense impact on development.

Ghana, therefore, reiterates its call upon the United States of America to take all necessary measures to lift the economic, commercial and financial embargo against Cuba, which has no place in our current global dispensation.

## Grenada

[Original: English]
[1 June 2016]

Grenada, as a sovereign, independent State with a firm conviction in the sovereign equality of States, continues to reiterate its recognition of the sovereign equality of States and its adherence to the principles of the United Nations.

In this regard, Grenada has welcomed moves towards rapprochement between the United States and the Republic of Cuba and towards the full recognition of the sovereign equality of the Republic of Cuba by the United States.

Grenada reiterates that it neither promulgates, applies nor condones laws or measures that encroach on or undermine the sovereign rights of any State, or laws that restrict or hinder international trade or navigation by any State. Therefore, Grenada issues another clarion call for the removal of the economic, commercial and financial embargo imposed on the Government and people of Cuba by the United States.

For nearly 56 years, the measures contained in this embargo have been counterproductive and have not produced the results they were meant to. Instead, they have created socioeconomic difficulty for the Cuban people and impeded Cuba's full developmental potential. In addition, they violate the sovereign rights of the Cuban people and contravene the principle of non-interference in the internal affairs of States, and do not augur well for genuine rapprochement and peaceful coexistence.

Grenada therefore unreservedly supports resolution 70/5, which urges states that have and continue to apply such laws and measures to take the steps necessary to repeal or invalidate them as soon as possible in accordance with their legal regime, and specifically speaks to the necessity of ending the economic, commercial and financial embargo. Grenada adds its voice to that of the international community in expressing the hope that this unilateral imposition by the United States will soon be removed in the spirit of peaceful coexistence.

## Guatemala

[Original: Spanish]
[11 May 2016]

The State of Guatemala has neither promulgated nor applied any laws or measures contrary to the principles and purposes enshrined in the Charter of the United Nations or contrary to the freedom of international trade and navigation.

Therefore, Guatemala is able to state that there are no legal or regulatory impediments to free transit or trade between Guatemala and Cuba.

Guatemala rejects any unilateral measures that run counter to the principles of free trade and international law and urges those countries that continue to maintain such provisions in their domestic legislation to take the necessary steps to repeal or rescind them.

Guatemala welcomes the re-establishment of diplomatic relations between the United States and Cuba, which it trusts will lead to the rapid normalization of economic, commercial and financial relations.

## Guinea

[Original: French]
[26 May 2016]

On the basis of resolutions adopted by several organizations and governmental bodies, the Government of Guinea, like the vast majority of States Members of the United Nations that have issued declarations, supports the efforts undertaken by the international community to bring about the timely and unconditional lifting of the unjust embargo imposed on the Cuban people.

Indeed, the economic, commercial and financial sanctions suffered by the courageous Cuban people for decades are not only a violation of the purposes and principles of the Charter of the United Nations and international law, but also have serious consequences for the economy, social life, culture, progress and prosperity of this kindred country.

For those reasons, the Republic of Guinea welcomes the international consensus in favour of the Cuban cause on this issue, reflected in the adoption of General Assembly resolution 70/5 of 27 October 2015.

In addition, Guinea welcomes the historic decision to restore relations taken by the Governments of the Republic of Cuba and the United States of America.

In view of this significant progress, all States should refrain from applying laws and measures adopted in the context of the embargo, which has become anachronistic and groundless.

Lastly, the Republic of Guinea encourages the United States authorities to settle all outstanding issues relating to this irreversible process.

## Guinea-Bissau

[Original: French]
[9 May 2016]

Guinea-Bissau reaffirms that discriminatory trade practices and the extraterritorial application of national laws are contrary to the need to promote dialogue and to uphold the principles and objectives set forth in the Charter of the United Nations.

The Government of Guinea-Bissau has never supported, much less taken domestic measures to implement, any decisions adopted against Cuba, as such decisions are unilateral and contrary to the norms of international law, in particular with regard to the freedom of trade and navigation.

Guinea-Bissau regrets that this embargo has continued to inflict significant economic, financial, health-related and other harm on the Cuban people for over 55 years.

Notwithstanding the signs of flexibility shown by the United States with regard to the normalization of relations and its policies towards Cuba, the Republic of Guinea-Bissau recognizes the importance which the Secretary-General attaches to this issue and calls for compliance with resolution 70/5.

## Guyana

[Original: English]
[17 May 2016]

The Government of Guyana has consistently demonstrated its unwavering respect for and adherence to the purposes and principles of the Charter of the United Nations, including those stated in resolution 70/5.

To this end, Guyana has not enacted any legislation or adopted any policies or practices the extraterritorial effects of which affect the sovereignty of other States.

Guyana has also, as a matter of principle, maintained a consistent position of firm opposition to the economic, financial and commercial embargo imposed by the United States against Cuba and reiterates the call for an end to this policy. Guyana encourages the process of dialogue between the United States and Cuba and salutes the positive endeavours taken by the two countries towards the strengthening of amicable relations, including the visit to Havana by Barack Obama, President of the United States.

The Government of Guyana is in full compliance with and remains fully supportive of General Assembly resolution 70/5.

The Government of Guyana also welcomes the steps being pursued by the Government of the United States and the Government of Cuba to remove impediments to the full normalization of relations between their two countries and expresses the hope that these felicitous developments will lead to a permanent resolution of this long-pending issue.

## Haiti

[Original: French]
[25 April 2016]

The Government of Haiti has neither promulgated nor applied laws or measures of the kind referred to in the preamble to resolution 70/5.

## Honduras

[Original: Spanish]
[28 June 2016]

The position of the Government of Honduras in relation to General Assembly resolution 70/5 is as follows: In fulfilment of its obligations under the Charter of the United Nations and international law, the Government of Honduras has not promulgated or applied any unilateral economic and commercial laws or measures against other States that might affect the freedom of international trade.

## Iceland

[Original: English]
[10 June 2016]

The Government of Iceland reaffirms its position in favour of resolution 70/5. Iceland does not promulgate or apply any laws or measures referred to in resolution 70/5. Iceland does not apply trade or economic legislation against Cuba that restricts or discourages trade or investment to or from Cuba. Iceland opposes the extraterritorial extension of unilateral measures against a third country.

## India

[Original: English]
[6 June 2016]

India has not promulgated or applied any laws of the type referred to in the preamble to resolution 70/5 and, as such, the necessity of repealing or invalidating any such laws or measures does not arise.

India has consistently opposed any unilateral measure by countries that impinge on the sovereignty of another country. These include any attempt to extend the application of a country's laws extraterritorially to other sovereign nations.

India recalls the final documents adopted by the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries held in Tehran from 26 to 31 August 2012 on this subject, the Santa Cruz Declaration of the Summit of Heads of State and Government of the Group of 77 and other high-level decisions of the Movement of Non-Aligned Countries, and urges the international community to adopt all necessary measures to protect the sovereign rights of all countries.

## Indonesia

[Original: English]
[27 May 2016]

The continued imposition of the economic, commercial and financial embargo against Cuba violates the principles of sovereign equality of States and non-intervention and non-interference in each other's domestic affairs, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States.

Indonesia urges States that have applied laws and measures of an extraterritorial nature that affect the sovereignty of other States, the lawful interests of their subjects or of other persons under their jurisdiction and freedom of trade and navigation to renounce such actions.

The economic, commercial and financial embargo imposed against Cuba has caused significant economic and social hardship for the people of Cuba, especially people in vulnerable situations including children, women and older persons.

Indonesia welcomes the restoration of diplomatic relations between the Governments of Cuba and the United States. Indonesia continues to support this resolution and reiterates the call for the immediate cessation of such an embargo to resume the full normalization of ties of both countries.

## Iran (Islamic Republic of)

[Original: English]
[24 May 2016]

The Government of the Islamic Republic of Iran expresses its serious dismay at the continued promulgation of the economic, commercial and financial sanctions against Cuba, despite the annual adoption of the General Assembly resolution calling for lifting of and putting an end to the embargo against Cuba by the government of the United States.

The Government of the Islamic Republic of Iran reiterates its strong belief that the economic, commercial and financial embargo against Cuba runs counter to the principles of international law governing relations among States and contradicts the letter and spirit of the Charter of the United Nations, which calls for promoting solidarity, cooperation and friendly relations among nations. Such measures continue to adversely affect the living conditions and human rights of the Cuban people and will hamper the efforts of the Government of Cuba to achieve the internationally agreed development goals, including the Sustainable Development Goals. In that context, the embargo continues to constrain the efforts of the Government and people of Cuba to eradicate poverty and hunger and to promote health and education, which are indispensable means for the achievement of economic and social development.

The economic, commercial and financial embargo imposed on Cuba, which has lasted for decades, serves no purpose other than inflicting tremendous hardship and suffering on the people of Cuba, especially women and children. The embargo has seriously jeopardized the legitimate rights and interests of Cuba and other States, as well as the freedom of trade and navigation, and therefore has to be immediately lifted as requested by all relevant resolutions of the General Assembly. Differences and problems among countries should be resolved through peaceful means and dialogue, on the basis of equality and mutual respect for sovereignty of Member States.

The adoption of the General Assembly resolutions with such a wide range of support and for so many years clearly indicates the strong objection of the international community to unilateral economic coercive measures in general, and the economic, commercial and financial embargo imposed against Cuba in particular. It is also a sign of increasing sympathy with the aspiration of the Government and people of Cuba to put an end to this unlawful and inhumane embargo. Furthermore, as the international community is facing major challenges, such as the consequences of the global financial and economic crisis and food crisis and thus increased poverty, unemployment and malnutrition, the imposition of the embargo seems unjustifiable more than ever and deserves stronger objections at the international level.

The Islamic Republic of Iran recalls paragraph 30 of General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", and other intergovernmental outcome documents and decisions on this subject, and urges the international community to adopt all necessary measures to put an end to this inhuman embargo against the people and Government of Cuba and protect the sovereign right of all other countries to expand trade and economic relations with Cuba.

The Islamic Republic of Iran remains opposed to the application of unilateral economic and trade measures by the United States against other countries that blocks the flow of people, trade and finance, as well as to the extraterritorial application and effects of such national legislation on the sovereignty of other states. The sanctions are contrary to the principles of international law, the sovereign equality of States, non-interference in the internal affairs of States and peaceful coexistence among States.

The Islamic Republic of Iran, which has been experiencing economic coercive measures, shares the concern of the Government and people of Cuba and therefore emphasizes the urgent need to put an end to such measures and to fully implement the content of General Assembly resolution 70/5.

## Iraq

[Original: Arabic]
[26 May 2016]

Iraq believes that unilateral economic sanctions are illegal and inconsistent with the principles and purposes of the United Nations and the principles of international law. Therefore, Iraq supported General Assembly resolution 70/5 on ending the embargo against Cuba, and welcomes the progress made towards normalization of relations between the two countries.

As a matter of principle, Iraq views economic measures as an illegal form of collective punishment that affects the weak and vulnerable segments of society, in particular children, women, the elderly and the sick.

Iraq believes that national laws have no extraterritorial effect.

Iraq affirms the right of Cuba to establish relations with any State in the world for the purpose of promoting its development in any area.

Iraq has never promulgated or adopted any laws or measures that prohibit economic, commercial or financial relations with the Republic of Cuba.

## Jamaica

[Original: English]
[20 May 2016]

The Government of Jamaica is fully committed to the purposes and principles of the Charter of the United Nations, and in particular, the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation. In this context, Jamaica remains opposed to the unilateral application of economic and trade measures by one State against another that would obstruct the freedom of commercial activity, trade and economic cooperation.

In keeping with its obligations under the Charter and under international law, and pursuant to General Assembly resolution 70/5, the Government of Jamaica has not promulgated any legislation or measure that would infringe on the sovereignty of any State or its lawful national interests. On the contrary, the Government of

Jamaica has sought to deepen its relations with Cuba through measures taken to enhance trade relations and tourism cooperation.

In support of this position, in October 2015 the House of Representatives of Jamaica approved a resolution supporting the removal of the embargo imposed by the United States against Cuba, noting that it affects the social and economic development of Cuba as well as commercial transactions between Jamaica and that country.

Jamaica has consistently supported General Assembly resolutions calling for an end to the economic, commercial and financial embargo against Cuba and urges all States that continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible.

Jamaica has consistently advocated for the lifting of the embargo in several regional forums, including the Caribbean Community and CELAC.

Jamaica welcomes the re-establishment of diplomatic relations between Cuba and the United States as the initial step towards the normalisation of relations. Nonetheless, Jamaica maintains that the embargo against Cuba continues to impose severe hardship on the Cuban people, and therefore calls upon the United States to take measures aimed at its immediate removal.

## Japan

[Original: English]
[20 May 2016]

The Government of Japan has not promulgated or applied laws or measures of the kind that are referred to in paragraph 2 of resolution 70/5.

The Government of Japan believes that the economic policy of the United States towards Cuba should be considered primarily as a bilateral issue. However, Japan shares the concern, arising from the Cuban Liberty and Democratic Solidarity Act of 1996 (known as the Helms-Burton Act) and the Cuban Democracy Act of 1992, that, if application of such legislation causes undue hardship in relation to the economic activities of the enterprises or nationals of a third party, the legislation is likely to run counter to international law regarding the extraterritorial application of domestic laws.

The Government of Japan has been closely following the situation in relation to the above-mentioned legislation and the surrounding circumstances, and its concern remains unchanged. Having considered the matter with the utmost care, Japan voted in favour of resolution 70/5.

The Government of Japan expresses its welcome and support for the recent developments in the relationship between Cuba and other nations, including the re-establishment of formal diplomatic relations between Cuba and the United States in July 2015, as they contributes to regional stability and development. The Government of Japan expresses its hope for continued progress of these developments.

## Jordan

[Original: English]
[2 June 2016]

The Hashemite Kingdom of Jordan has not applied any laws or measures of the kind referred to in resolution 70/5.

The Government of the Hashemite Kingdom of Jordan has consistently voted in favour of the above-mentioned resolution and reaffirms its commitment to the principles enshrined in the Charter of the United Nations.

## Kazakhstan

[Original: English]
[25 May 2016]

In its foreign policy, Kazakhstan is guided by the principles of international law and stands for the rights of nations to develop according to their own way of development.

Kazakhstan strongly condemns any unilateral acts that affect the sovereignty of another State.

Kazakhstan has never accepted any national regulations that infringe, impede or retard the development of foreign countries, including in the economic, commercial and financial spheres.

In this regard, Kazakhstan, like the overwhelming majority of the international community, calls for lifting the embargo against Cuba and the cessation of all acts that are contrary to the principles of international law and the Charter of the United Nations.

## Kenya

[Original: English]
[24 June 2016]

The Government of Kenya reaffirms its objection to the unilateral coercive measures that are at variance with the Charter of the United Nations and international law.

Kenya has never unilaterally promulgated or applied laws or measures of any kind that have extraterritorial effects affecting the sovereignty of other States. The majority of the States Members of the United Nations and member States of other organizations have called for an end to the economic, commercial and financial embargo against Cuba. Kenya believes in and upholds the principles of maintaining friendly relations, including commerce among nations for the promotion of peace and security, as indispensable ingredients for the social and economic advancement for all people.

Kenya will continue to oppose the blockade against Cuba that has negatively affected the citizens of Cuba and, in line with the position of the African Union, calls for the immediate lifting of the long-standing and unjustifiable economic and trade embargo imposed on Cuba, so as to allow that country to enjoy all the

legitimate prospects for its sustained development. The Government of the Republic of Kenya has always voted in favour of General Assembly resolutions calling for the lifting of the United States of America embargo imposed on Cuba.

The Government of Kenya welcomes and supports the recent developments in the relationship between Cuba and the United States of America following the re-establishment of diplomatic relations between Cuba and the United States of America as a positive step towards the normalization of relations.

## Kiribati

[Original: English]
[11 April 2016]

The Government of the Republic of Kiribati reaffirms its support for and implementation of resolution 70/5 and, in conformity with its obligations under the Charter of the United Nations, has not taken any measures that might impair economic, commercial or financial relations between Kiribati and Cuba or any other country. The resolution addresses moral and humanitarian considerations which, when implemented, will positively contribute to improving the general welfare and well-being of the people of Cuba.

## Kuwait

[Original: English]
[26 May 2016]

The State of Kuwait supports the implementation of resolution 70/5 with an emphasis on the need to comply with the purposes and principles of the Charter of the United Nations, the sovereign equality of States and non-interference in their internal affairs, as well as the freedom of international trade and navigation.

Furthermore, the State of Kuwait has always voted in favour of General Assembly resolutions calling for the lifting of the United States embargo imposed on Cuba.

## Kyrgyzstan

[Original: Russian]
[24 June 2016]

In its foreign policy, the Kyrgyz Republic strictly adheres to the fundamental norms and principles of international law, including the provisions of the Charter of the United Nations, and advocates respect for the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

The Kyrgyz Republic has not promulgated or applied against the Republic of Cuba any of the laws or measures referred to in the preamble to resolution 70/5.

The Kyrgyz Republic has consistently supported the efforts of United Nations Member States to put an end to the economic, commercial and financial embargo imposed against the Republic of Cuba.

## Lao People's Democratic Republic

[Original: English]
[18 May 2016]

The Lao People's Democratic Republic is of the view that an embargo with its extraterritorial implications not only hinders the socioeconomic development of any nation that the embargo is imposed on, but also contradicts the principles and purposes enshrined in the Charter of the United Nations and international law, as well as the sovereign equality of States and freedom of international trade and navigation. The Lao People's Democratic Republic has neither promulgated nor introduced laws and measures of the kind referred to in paragraphs 2, 3 and 4 of resolution 70/5. Nevertheless, the Lao People's Democratic Republic welcomes the recent positive development in the efforts to normalize diplomatic relations between the United States and Cuba. This positive momentum should be further promoted and concretized by lifting of the existing embargo imposed on Cuba. This gesture would act as a catalyst to and would reflect the genuine normalization of the relations between the two countries.

## Lebanon

[Original: English]
[24 May 2016]

The Government of Lebanon fully complies with General Assembly resolution 70/5. This is a standing position of Lebanon, based on the principles enshrined in the Charter of the United Nations and international law stressing the need to respect the sovereignty of States.

## Lesotho

[Original: English]
[31 May 2016]

The Kingdom of Lesotho expresses its deep concern at the continuation of the unilateral economic, commercial and financial embargo that has been imposed by the United States against Cuba, which is in contravention of the principles of a multilateral trading system, international law and the Charter of the United Nations and, in particular, the principles of the sovereign equality of States and non-intervention in international affairs.

The Kingdom of Lesotho has not promulgated or applied laws or measures against Cuba that would prohibit economic, commercial or financial relations between the Kingdom of Lesotho and the Republic of Cuba.

Lesotho reiterates its commitment to the Charter of the United Nations, international law and multilateralism, and thus remains opposed to the economic and commercial embargo imposed against Cuba.

## Liberia

[Original: English]
[1 July 2016]

For many decades, more than two thirds of the States Members of the United Nations have consistently voted in favour of lifting the economic, commercial and financial embargo unilaterally imposed on Cuba by the United States. This has signalled a rejection of keeping the embargo in place by the international community as well as the necessity of lifting it.

Liberia welcomes the rapprochement between the United States and Cuba, and in this connection expresses its hope that the economic, commercial and financial embargo on Cuba is lifted in furtherance of improving the good and friendly relations between the two nations and the economic well-being of the Cuban people.

Therefore, the Government of Liberia unreservedly supports the ending of the unilateral commercial and trade embargo against Cuba and will continue to collaborate with other States Members of the United Nations towards the achievement of this worthy objective.

## Libya

[Original: Arabic]
[27 April 2016]

Libya reiterates its strong opposition to unilateral measures imposed on States for political purposes, and stresses that such conduct does not help to resolve differences between States but, rather, complicates them.

Libya has consistently expressed its commitment to the Charter of the United Nations and the principles of international law. It has not enacted or applied any laws of the kind referred to in paragraphs 2 and 3 of General Assembly resolution 70/5.

Libya does not support the application of coercive unilateral extraterritorial economic measures, because such measures clearly violate the principles of international law.

Libya voted in favour of resolution 70/5 because it opposes the economic, commercial and financial embargo imposed against Cuba. It calls on States to resolve their differences by peaceful means and to shun unilateral coercive measures, which violate the principles of the Charter and human rights, and impede the efforts of the United Nations to achieve development, one of the Organization's lofty objectives.

## Liechtenstein

[Original: English]
[27 April 2016]

The Government of the Principality of Liechtenstein has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 70/5. The Government of the Principality of Liechtenstein is furthermore of the view that legislation whose implementation entails measures or regulations having

extraterritorial effects is inconsistent with generally recognized principles of international law.

## Madagascar

[Original: English]
[26 May 2016]

The Republic of Madagascar has never promulgated and applied any laws and measures of the kind referred to in the preamble to resolution 70/5, in conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.

In this regard, the Republic of Madagascar reiterates its support for all measures aimed at ending the economic, commercial and financial embargo imposed against Cuba.

## Malawi

[Original: English]
[21 June 2016]

The Government of Malawi, which has diplomatic relations with Cuba, has never promulgated country-specific targeted legislation or instructions barring trade or cooperation with Cuba. As such, following the adoption of the resolution there is not much to be done to comply with the resolution in terms of the law.

## Malaysia

[Original: English]
[26 May 2016]

Malaysia remains opposed to the imposition of unilateral economic measures as instruments of political and economic coercion against developing countries. Unilateral measures are discriminating in nature and are intended to serve specific political agendas against target countries. Such unilateral economic measures may not only restrict free and unfettered business across borders, but they may also hamper social development, such as employment opportunities and the living conditions of the general population.

In this connection, Malaysia fully supports the efforts of the international community, as contained in the General Assembly resolution 70/5 and other relevant resolutions that call for an end to the unilateral economic, commercial and financial embargo imposed on any member of the United Nations.

## Maldives

[Original: English]
[25 April 2016]

The Republic of Maldives does not impose any sanctions against any country without an explicit mandate from the General Assembly or the Security Council, or from those international organizations of which the Maldives is a member.

Accordingly, the Republic of Maldives has not imposed any sanctions on Cuba, nor has it enacted any laws or regulations that would contravene the provisions of General Assembly resolution 70/5, which the Republic of Maldives voted in favour of.

## Mali

[Original: French]
[19 April 2016]

The Government of the Republic of Mali has always voted in favour of General Assembly resolutions on the necessity of ending the economic, commercial and financial embargo imposed against Cuba.

The Government of the Republic of Mali, which fully supports resolution 70/5, adopted on 27 October 2015, has not promulgated any laws or applied any measures of the kind referred to in the preamble of the resolution.

As in the past, Mali maintains its position that the embargo against Cuba should be lifted.

## Mauritania

[Original: French]
[1 June 2016]

The Government of the Islamic Republic of Mauritania disagrees with and is opposed to all aspects of the economic, commercial and financial embargo imposed by the United States against Cuba.

The Islamic Republic of Mauritania remains committed to the purposes and principles of the Charter of the United Nations, in particular the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of trade and navigation.

## Mauritius

[Original: English]
[31 May 2016]

Mauritius reiterates its commitment to the purposes and principles of the Charter of the United Nations, including the principle of the sovereign equality of States and non-intervention and non-interference in their internal affairs. In line with the above principles, and in conformity with international law, Mauritius has not promulgated any law or measure aimed at imposing a unilateral economic, commercial and financial embargo against Cuba.

Mauritius enjoys excellent bilateral relations with Cuba. With regard to trade relations, although exports to Cuba have been negligible, imports from Cuba have been increasing over the last few years.

## Mexico

[Original: Spanish]
[26 May 2016]

As its fourth largest partner in the region, Cuba is a major trading partner of Mexico in the Caribbean. In 2015, the two countries' bilateral trade reached US$ 368.6 million: Mexican exports amounted to US$ 356.2 million and imports from Cuba amounted to US$ 12.4 million. For reasons of confidentiality in Cuba, no official figures regarding Mexican investments there are available.

In 2001, Economic Complementarity Agreement No. 51 entered into force between Mexico and Cuba, under the Montevideo Treaty of 1980. On 1 November 2013, the two countries signed two additional protocols to broaden and deepen that Agreement. The Third Additional Protocol, concerning market access, entered into force on 4 November 2014, adding 3,625 tariff items and deepening tariff preferences for another 214. The Fourth Additional Protocol, concerning the settlement of disputes, entered into force on 4 April 2015.

In May 2002, an agreement on the promotion and reciprocal protection of investments entered into force between Mexico and Cuba. It should be noted that Mexican companies have invested in 27 projects on the island, 6 in the area of Mariel and 21 in the rest of the country. To deepen Economic Complementarity Agreement No. 51, Cuba and Mexico have agreed to update the bilateral agreement on the promotion and reciprocal protection of investments, to which end Mexico has submitted a modernization proposal. Cuba has stated that it is working on the matter.

Mexico reaffirms its position that any type of political, economic or military sanction imposed on a State may only result from a decision or recommendation made by the Security Council or General Assembly. Multilateralism continues to be the best way of settling disputes and ensuring peaceful coexistence between States.

For this reason, the Government of Mexico has repeatedly reiterated its firm rejection of the application of unilateral laws or measures imposing an economic embargo against any State Member of the United Nations, and of the use of coercive measures that do not have the legitimate backing of the international community based on the principles of the Charter of the United Nations.

The first State visit to Mexico of President Raúl Castro Ruz of Cuba took place in Mérida, Yucatán, on 6 and 7 November 2015, to reciprocate the visit to Cuba of the President of Mexico, Enrique Peña Nieto, in January 2014. The rapprochement between the two Governments was reaffirmed through the visit.

Five legal instruments were signed during the visit: a memorandum of understanding to ensure legal, orderly and safe migratory flows between the two countries, a memorandum of understanding on diplomatic and academic collaboration, a specific programme for cooperation in tourism for 2016-2017, a specific programme for cooperation in fisheries and aquaculture between the Cuban Ministry for the Food Industry and the Mexican Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food, and a letter of intent issued by the Ministry of Public Education of Mexico and the Ministry of Education of Cuba on cooperation in basic education.

Between 2013 and 2016 the two countries have signed 14 legal instruments. We have also agreed on the implementation of structural reforms that promote development and facilitate the integration of our economies in the context of globalization. Mexico is supporting the process of updating the Cuban model by providing technical assistance for the implementation of the economic reforms.

Mexico acknowledges the importance of Cuba and the United States in its international activities and welcomes the progress in the re-establishment, beginning in December 2014, of diplomatic relations between the two countries. The success of those relations depends on the economic embargo being brought to a rapid end.

The normalization of diplomatic relations between Cuba and the United States is having a positive impact on the rest of Latin America and the Caribbean and is enabling greater understanding within regional bodies. In that regard, we welcome the official visit to Cuba of the United States President, Barack Obama, from 20 to 22 March 2016, the first such visit in 88 years.

## Monaco

[Original: French]
[19 April 2016]

Pursuant to the purposes and principles of the Charter of the United Nations and international law, the Principality of Monaco has not promulgated or applied laws or measures of the kind referred to in General Assembly resolution 70/5.

## Mongolia

[Original: English]
[6 May 2016]

The Government of Mongolia has neither promulgated nor applied any laws or measures of the kind referred to in the preamble to General Assembly resolution 70/5. Mongolia has consistently supported the aforementioned resolution.

## Montenegro

[Original: English]
[21 April 2016]

The Government of Montenegro has supported General Assembly resolution 70/5. The Government of Montenegro reaffirms its commitment to the purposes and principles enshrined in the Charter of the United Nations and has neither promulgated nor applied laws or measures of the kind referred to in resolution 70/5. The Government of Montenegro is ready to further develop cooperation with Cuba at the bilateral and multilateral levels.

## Morocco

[Original: French]
[27 May 2016]

The Kingdom of Morocco reiterates its firm commitment to the purposes and principles of the Charter of the United Nations and the cardinal principles of international law.

The Kingdom of Morocco has always encouraged the development of friendly relations between States Members of the United Nations.

## Mozambique

[Original: English]
[17 May 2016]

The Republic of Mozambique has never promulgated, applied or contributed to the application of any of the laws or regulations mentioned in General Assembly resolution 70/5. It was in this context that the Republic of Mozambique voted in favour of the aforementioned resolution.

The Government of Mozambique seizes this opportunity to reiterate its unconditional support for the provisions of resolution 70/5 and to appeal to the United Nations to ensure that all Member States take the resolution into consideration.

## Myanmar

[Original: English]
[12 May 2016]

During the seventieth session of the General Assembly, Myanmar once again joined the international community and voted in favour of resolution 70/5 to bring an end to the economic, commercial and financial embargo imposed by the United States against Cuba.

Myanmar believes in the purposes and principles enshrined in the Charter of the United Nations, the norms of international law and good neighbourliness. Myanmar also believes that relations between nations can be built and strengthened further on the basis of these noble principles. Therefore, Myanmar is encouraged by and welcomes the ongoing efforts between the United States and Cuba to normalize relations. We hope that these efforts will lead to the eventual lifting of all economic, commercial and financial embargoes imposed against Cuba, as well as pave the way for Cuba, as others, to meet the goals and targets as set out in the 2030 Agenda for Sustainable Development.

One significant aspect of the ambitious 2030 Agenda is the call not to leave anyone behind. We have committed ourselves to working tirelessly for the full implementation of this comprehensive, far-reaching and people-centred set of universal and transformative goals and targets, as it will open up new prospects and opportunities for global development and cooperation. Imposing unilateral sanctions or embargoes will only impede one from achieving these goals. The economic, commercial and financial embargo imposed against Cuba is only affecting the

Cuban people. In this regard, Myanmar has joined the international community and voted in favour of General Assembly resolution 70/5 to call for an immediate end to the embargo.

## Namibia

[Original: English]
[30 May 2016]

Namibia strongly supports General Assembly resolution 70/5 and calls for an immediate and unconditional lifting of the embargo against the Republic of Cuba, in conformity with the obligations under the Charter of the United Nations. As it has done every year, Namibia supports, and will continue to support, the call by the General Assembly to remove the embargo against the people of Cuba. Namibia has not promulgated or applied any laws or measures to support such an embargo.

The Government of the Republic of Namibia upholds the principle of peaceful coexistence of nations, respects the sovereign equality of States and believes in fair and open trade among nations. Since attaining independence, Namibia has taken steps to strengthen trade relations with Cuba and Cuba continues to provide expertise to Namibia in the fields of health, agriculture, aquaculture and education.

Since the previous reporting period, several high-level visits have taken place between Namibia and Cuba in order to further cement the excellent relations between the two countries. Among others, exchanges of visits included the following:

- Official visit to Cuba by the President of the Republic of Namibia, Hage Geingob, September 2015
- Official visit to Namibia by the Minister of Food and Industry of Cuba, María del Carmen Concepción González, February 2016
- Official visits to Cuba by the Minister of Higher Education of Namibia in February 2016 and by the Chief Justice of the Supreme Court in May 2016
- Official visit to Namibia by the "Cuban Five" in August 2015
- Other lower-level visits and economic activities
- In addition, Namibia and Cuba have signed a number of agreements, memorandums of understanding and letters of intent during the reporting period.

## Nauru

[Original: English]
[14 June 2016]

The Government of Nauru, guided by the purposes and principles of the Charter of the United Nations and by international law, has supported resolution 70/5 and has never promulgated or applied any laws or measures of the kind referred to in the resolution. Moreover, the Government of Nauru fully supports the lifting of sanctions imposed by the United States against the Republic of Cuba. And,

in the light of the ongoing negotiations between the two countries, there should be no more unjustified embargo against Cuba.

## Nepal

[Original: English]
[1 June 2016]

The Government of Nepal has firmly adhered to the provisions of General Assembly resolution 70/5 and has not promulgated and applied any laws or measures contrary to the resolution.

## New Zealand

[Original: English]
[22 April 2016]

The Government of New Zealand reaffirms its position in support of General Assembly resolution 70/5. The Government of New Zealand has consistently supported General Assembly resolutions calling for an end to the trade embargo against Cuba, and reiterates those calls. New Zealand has no trade or economic legislation or measures that restrict or discourage trade or investment to or from Cuba, and welcomes all steps towards normalization, including lifting the embargo.

## Nicaragua

[Original: Spanish]
[13 May 2016]

Nicaragua once again reiterates its firm and unwavering respect for the sovereign equality of States, the principles of non-intervention and non-interference in a State's internal affairs, and freedom of international trade and navigation, as set forth in various international instruments, as well as other principles that are essential to coexistence and peace. Nicaragua also reiterates the right of every State to choose its own political and socioeconomic system free from outside interference, coercive economic measures, sanctions or embargoes.

Nicaragua once again expresses its unconditional solidarity with the Government and people of Cuba and states that it has not promulgated, nor will it promulgate, any laws affecting the economic, commercial and financial rights of the fraternal people and Government of Cuba and that it has not applied, nor will it apply, any measures that might impose restrictions on trade or any other type of relations with Cuba.

The Government of Nicaragua has continued to broaden and strengthen its political, economic and commercial relations and its ties of development cooperation with the people and Government of Cuba. We have commercial agreements with Cuba and will continue to strengthen all the mechanisms at our disposal to help the Cuban people and Government in their indefatigable struggle against the embargo.

Since 17 December 2014, we have welcomed the start of the re-establishment of diplomatic relations between Cuba and the United States as a first step towards

the normalization of bilateral relations. We reiterate our principled position that there can be no full normalization without a complete end to the cruel and inhumane embargo imposed on the people and Government of Cuba for over five decades. The embargo has been rejected by 191 countries through resolution 70/5.

The embargo should be lifted without conditions, much less demands aimed at changing the political, economic, social, legal and constitutional order of Cuba.

We reiterate the position of our President, Commander Daniel Ortega Saavedra, that the President of the United States, Barack Obama, has broad executive powers to make much more substantive and extensive changes to the embargo policy. We urge him once again, in this, his last year in government, to continue, in accordance with the 2030 Agenda, to take the necessary steps to bring an end to this obsolete policy, the main obstacle to the development of that fraternal country and to its efforts to maintain its major economic and social achievements.

Nicaragua reiterates its emphatic rejection and condemnation of the continuance and tightening of the economic, commercial and financial embargo imposed against Cuba and all the coercive measures with extraterritorial effects taken by the United States, which in no way contribute to the requisite climate of dialogue and cooperation that has recently begun to prevail between the Governments of Cuba and the United States.

Nicaragua, a fraternal and partner country that supports the development of the brotherly Cuban people and Government, once again expresses its gratitude for the unconditional support, cooperation and solidarity that Cuba has offered in all areas and that contribute to the well-being of our people. The continued solidarity of the Cuban people and Government with the needs of the peoples of the world is also commendable.

The Government of Nicaragua once again calls on the Government of the United States to comply with the resolutions adopted by the General Assembly, which express the views of the international community, and demands that the economic, commercial and financial embargo against the heroic people and Government of the fraternal Republic of Cuba be brought to an end.

## Niger

[Original: French]
[19 May 2016]

The authorities of the Niger are deeply committed to respecting the principles of the sovereign equality of States, non-intervention in internal affairs, and freedom of international trade and navigation, as established in the Charter of the United Nations and in international law, and have not taken any measures contrary to the provisions of resolution 70/5.

On the contrary, the Republic of the Niger and the Republic of Cuba have maintained good cooperative relations since the signing of a general agreement on cooperation between the two countries in 1994. Since then, the scope of this cooperation and the activities covered by it have evolved and expanded. The two countries regularly hold bilateral consultations, thereby attesting to the political will of their leaders to strengthen the ties of cooperation and solidarity between them for the benefit of their peoples. In addition, the President of the Republic,

Mr. Mahamadou Issoufou, conducted an official visit to Cuba in September 2014 to consolidate that cooperation.

The Government of the Republic of the Niger also welcomes and has followed with interest the diplomatic rapprochement between Cuba and the United States of America, which has resulted in the opening of the Cuban embassy in Washington, D.C. and the United States embassy in Havana.

The Niger welcomes that rapprochement and urges the two countries to continue to normalize their relations, following the establishment of diplomatic relations, by ending the economic, commercial and financial embargo imposed against Cuba.

The authorities of the Niger consider that each country and each people has the legitimate right to establish its own development model freely and with the same opportunities for success, in accordance with the principles set out in the Charter of the United Nations.

For all the above reasons, the Republic of the Niger continues to support its sister republic, Cuba, in its campaign to secure the lifting of the economic, commercial and financial embargo imposed against it by the United States of America, and calls for the complete normalization of relations between the two countries.

## Nigeria

[Original: English]
[17 May 2016]

The Federal Government of Nigeria maintains friendly relations with all States and does not favour unilateral measures to settle political disputes. Consequently, the Federal Government reiterates its support for ending the embargo against Cuba.

Nigeria is optimistic that the recent normalization of relations between Cuba and the United States is a step in the right direction towards ending the embargo.

## Norway

[Original: English]
[3 June 2016]

The Government of Norway reaffirms its position in favour of resolution 70/5. Norway does not promulgate or apply laws and measures referred to in resolution 70/5. Norway does not apply trade or economic legislation against Cuba that restricts or discourages trade or investment to or from Cuba. Norway opposes the extraterritorial extension of unilateral measures against a third country.

Norway welcomes the positive developments in the relationship between Cuba and the United States and hopes this will lead to the lifting of the embargo in the near future.

## Oman

[Original: English]
[9 May 2016]

The Government of Oman is not applying any laws and measures of the kind referred to in the preamble to resolution 70/5, in conformity with its obligations under the Charter of the United Nations and international law, which reaffirm the freedom of trade and navigation as well the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba.

## Pakistan

[Original: English]
[2 May 2016]

Pakistan is fully in observance of resolution 70/5.

## Panama

[Original: Spanish]
[7 June 2016]

*Bilateral economic relationship*

Ever since the restoration of diplomatic relations with Cuba in 2004, commercial relations between Panama and the Cuban Government have gone well and faced no difficulties. Furthermore, we have a number of commercial agreements, such as:

- The Partial Scope Agreement intended to give impetus to the economic and commercial relationship between the two nations, while achieving greater access for Panamanian products in the Cuban market.
- Agreement between the Government of the Republic of Panama and the Government of the Republic of Cuba on the promotion and reciprocal protection of investments, signed in Panama City on 27 January 1999. Entered into force on 26 July 1999.
- Air Services Agreement, signed in Havana on 5 November 2007. Entered into force on 28 July 2008, superseding and replacing the Air Services Agreement signed on 31 August 2000. Ratified by the National Assembly under Act No. 45 of 2008.

*Economic considerations*

In this area, it should be borne in mind that the powers of the President of the United States of America in relation to the embargo against Cuba can range from authorizing the use of the United States dollar in the international transactions of Cuba to granting credit, loans and general financing to Cuba for the purchase of products on the United States market (where legally permitted).

Panama reaffirms its support for free trade and transparency in international commerce. We see Cuba as a friendly country, and the bilateral relationship is based on fraternal dialogue and the brotherhood between our peoples.

Panama is in favour of the full integration of Cuba into the region. We see Cuba as a fellow Latin American country with which we share historical roots of friendship based on the most genuine respect for territorial integrity, non-interference in internal affairs, and the self-determination of its peoples in the exercise of their sovereignty.

*Other considerations*

Given the latest developments in political relations between the United States of America and Cuba, the topic of the economic embargo is likely to be the next key element in the ongoing negotiation process. With regard to General Assembly resolution 70/5 entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", there is now a pressing need for a coherent and comprehensive report on the proposed negotiation process for the implementation of this resolution.

Historically, the Government of Panama has always voted in favour of the draft resolution and the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba. Accordingly, we welcome the support for this draft resolution and the promotion of harmonious coexistence and human and commercial cooperation between the peoples of the world. We also believe that the resumption of diplomatic relations between the United States of America and Cuba portends a better economic future for the island, especially if the United States Congress agrees to repeal the embargo.

## Papua New Guinea

[Original: English]
[29 June 2016]

The Government of Papua New Guinea welcomes the re-opening of direct bilateral relations between the Republic of Cuba and the United States of America and encourages the cooperative spirit demonstrated by both parties.

In this context, Papua New Guinea further reaffirms its support for General Assembly resolution 70/5 on ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Papua New Guinea has no restrictive legislative or other measures against Cuba; on the contrary, it continues to strengthen constructive and friendly relations between both countries under the spirit and letter of the Charter of the United Nations and international law.

## Paraguay

[Original: Spanish]
[9 May 2016]

In conformity with the principles established in its Constitution and in the Charter of the United Nations and with the general principles of international law, the Government of the Republic of Paraguay considers that the extraterritorial application of domestic laws infringes the sovereignty of other States, undermines the equality of States before the law and compromises the principle of non-intervention and the freedom of international trade and navigation.

Paraguay is in full compliance with General Assembly resolution 70/5.

## Peru

[Original: Spanish]
[4 May 2016]

Peru remains fully committed to the principles of the Charter of the United Nations and of international law, particularly the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

Peru considers that the extraterritorial application of domestic laws, as demonstrated by the economic, commercial and financial embargo imposed against Cuba, constitutes a unilateral act contrary to the Charter of the United Nations, international law and the basic principles of the multilateral trading system.

Since 1992, when Peru voted in favour of resolution 47/19, submitted by Cuba for adoption by the General Assembly, the Peruvian Government has voted in favour of all subsequent resolutions on this matter.

Peru has neither promulgated nor applied any laws or regulations that could affect the sovereignty of Cuba or its freedom of trade and navigation.

Peru believes that these coercive measures affect the economic growth of Cuba and restrict its social and human development. The Government of Peru expresses its profound concern about the adverse effects that the embargo has on the quality of life and well-being of the Cuban people, especially with regard to food supply, health and other essential services, by denying them access to private credit, food, medicine, technology and other supplies needed for the country's development.

Peru continues to promote trade and economic exchanges with Cuba and has consistently opposed the economic, commercial and financial embargo imposed against that country.

Similarly, Peru considers that the economic, commercial and financial embargo against Cuba is inconsistent with the dynamics of regional politics, which have been strengthened by the return of Cuba to dialogue and cooperation forums in the Americas.

Finally, it should be noted that on 18 February 2016, on the occasion of the visit to Cuba of the Peruvian President, Ollanta Humala, the Head of State reiterated the above and stressed the importance of Cuba as a relevant actor on the regional and international scene, reaching an agreement with his Cuban counterpart, Raúl Castro, on steps to be taken to expand the economic complementarity agreement.

## Philippines

[Original: English]
[2 June 2016]

The Philippines fully supports and reiterates its commitment to adhere to resolution 70/5.

The Philippines also reiterates that it has not imposed and does not intend to impose any laws, regulations or measures that are contradictory to the implementation of resolution 70/5.

## Qatar

[Original: English]
[10 June 2016]

The position of the State of Qatar regarding resolution 70/5 remains unchanged. The State of Qatar fully supports the resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

The State of Qatar firmly supports the rules and principles of international law in its foreign policy and follows a policy of full compliance with the purposes and principles of the Charter of the United Nations.

In this regard, the State of Qatar has not introduced or applied any laws or measures inconsistent with the resolution.

## Republic of Korea

[Original: English]
[9 June 2016]

The Government of the Republic of Korea has consistently supported General Assembly resolutions calling for an end to the economic and trade embargo on Cuba since 1999. Therefore, the Republic of Korea has not applied laws or administrative measures of the kind which are referred to in General Assembly resolution 70/5.

## Republic of Moldova

[Original: English]
[22 June 2016]

The Republic of Moldova fully upholds the principles of the Charter of the United Nations and international law and has never promulgated or applied laws and measures of the kind referred to in the General Assembly resolution 70/5 regarding the economic, commercial and financial embargo against Cuba.

## Russian Federation

[Original: Russian]
[26 May 2016]

The Russian Federation maintains its position with regard to resolution 70/5, focusing its efforts on the urgent lifting of the United States embargo on Cuba and acting in concert with the overwhelming majority of the international community.

We consider that the maintenance of the commercial, economic and financial embargo against Cuba by the United States is a counterproductive and short-sighted relic of the cold war, an anachronistic policy that is not in any way justified by current realities and is detrimental to the Cuban economy and the steady development of regional and international cooperation.

We welcome the decisions by the Government of the United States to relax some aspects of the blockade. It is our belief that the logical outcome of the process

of normalizing relations between Cuba and the United States will be the full and definitive lifting of the embargo and that the United States will make the necessary efforts to that end, including by focusing on its domestic public opinion. This would serve the interests of both Cuba and the United States and would be conducive to upholding the legitimate rights of Cuban citizens to a dignified life, above all in such socially important areas as health care.

The strengthening of Cuba's policy position as a centre for the resolution of international and regional problems and a forum for dialogue and reconciliation clearly demonstrates the unviable and misguided nature of the continuing blockade. At this stage, as a continuation of its standing policy, the Russian Federation believes it is necessary to vote in favour of the draft resolution calling for the embargo to be lifted, guided in this by the fundamental principles of the Charter of the United Nations on the inadmissibility of any discriminatory measures or interference in the internal affairs of States.

## Rwanda

[Original: English]
[30 June 2016]

The Government of the Republic of Rwanda, guided by the purposes and principles of the Charter of the United Nations and international law, fully implements General Assembly resolution 70/5, reaffirms its support for the resolution and has neither promulgated nor applied any laws or measures of the kind referred to in the preamble to the resolution. The Government of Rwanda stresses that there are no legal or regulatory impediments to free transit or trade between Rwanda and Cuba.

## Saint Kitts and Nevis

[Original: English]
[14 June 2016]

The Government of Saint Kitts and Nevis is highly committed to the Charter of the United Nations and to obligations under international law, which regulate the relationships between States and their treatment of individuals within State boundaries. The Government of the Federation of Saint Kitts and Nevis wishes to emphasize that it does not promulgate or apply any laws with any extraterritorial effect on Cuba that would prevent the free movement of international trade, encroach on the sovereignty of other States or violate the legitimate interests of entities.

The existing bonds and valued relationship between Saint Kitts and Nevis and the Republic of Cuba has blossomed over the years and continues to mature with the strengthening in cooperation in multiple areas. Saint Kitts and Nevis welcomed the rapprochement between the United States and Cuba and believes that this is an opportune time to end the almost 50-year-old embargo.

Therefore, it is within this light that Saint Kitts and Nevis remains opposed to the United States embargo against Cuba and continues to call for the United States to put an end to the economic, commercial and financial blockade imposed on this country.

Within this context, it is quite disheartening to realize that, although resolution 70/5 is supported by the majority of countries within the international community, the sanctions of the embargo are maintained. This unilateral initiative has wreaked untold hardship on the people of Cuba by prohibiting the growth of the Cuban economy as well as hindering the economic and social development of its people.

The Government of Saint Kitts and Nevis reiterates its support for, and continues to stand in solidarity with, Cuba in supporting General Assembly resolution 70/5 and it continues to advocate for immediate action to end this unilateral action.

## Saint Lucia

[Original: English]
[12 April 2016]

Saint Lucia, in compliance with international legal obligations and with the commitment to the principles of the sovereign equality of States. The Government of Saint Lucia has not promulgated any law, legislation or measure, or taken any other action that would contravene the exercise of sovereignty by a Member State in its lawful interests or obstruct the freedom of commercial activity, trade or economic cooperation.

The Government of Saint Lucia reiterates the consistent economic, educational, scientific and technical cooperation between Cuba and Saint Lucia in furtherance of socioeconomic advancement and sustainability.

Saint Lucia reaffirms its position on the extraterritorial application of national legislation and considers it to be contrary to the principles of international law, the sovereign equality of States, non-interference in the internal affairs of States and peaceful coexistence among nations.

The Government of Saint Lucia has consistently supported the relevant General Assembly resolutions calling for an end to the economic, commercial and financial embargo against Cuba.

## Saint Vincent and the Grenadines

[Original: English]
[25 May 2016]

Saint Vincent and the Grenadines continues to believe that the blockade against Cuba is not only illegal but it is morally unsustainable. In the introduction to his famed essay, "Common Sense", Thomas Paine said: "a long habit of not thinking a thing wrong, gives it a superficial appearance of being right, and raises at first a formidable outcry in defence of custom. But tumult soon subsides. Time makes more converts than reason."

And this happens today with respect to this blockade. Citizens across the United States are joining the international community by increasingly voicing their disapproval and calling for the lifting of the unilateral sanctions. The Cuban-American community in the area of Miami, Florida is the largest concentration of Cubans outside the island. The community's significance for local and national elections is frequently highlighted during election cycles and its members are often

credited, or criticized, for controlling United States policy towards Cuba. In a 2014 poll of this community, conducted by Florida International University, it was revealed that 57 per cent of registered voters would likely vote for a candidate who supported replacing the embargo with a policy of increasing support of independent business owners. In the same poll 81 per cent of registered voters stated that they would likely vote for a candidate who supported replacing the embargo with a policy of increasing support for human rights. However the polling questions were couched, the overwhelming conclusion underscores the necessity of ending the blockade.

## Samoa

[Original: English]
[27 May 2016]

The Government of the Independent State of Samoa reaffirms its full commitment to the purposes and principles enshrined in the Charter of the United Nations, including, in particular, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which also form fundamental principles of international law. Samoa has consistently supported General Assembly resolutions calling for an end to the trade embargo against Cuba and has neither promulgated nor applied any laws or measures of the kind referred to in General Assembly resolution 70/5.

## San Marino

[Original: English]
[11 April 2016]

The Republic of San Marino has always and generally been against any imposition of any embargo; therefore, it is against the imposition of the unilateral embargo against Cuba, as a means of pressure, and because of the serious repercussions on the population.

## Sao Tome and Principe

[Original: English]
[27 April 2016]

The Government of the Democratic Republic of Sao Tome and Principe affirms the purposes and principles of the Charte of the United Nations, multilateralism in international relations, the fundamental principle of free trade and other international legal instruments.

The Democratic Republic of Sao Tome and Principe condemns any unilateral decision that seeks to restrict economic, commercial and financial activities, thereby impeding social and human development. The embargo has a direct impact on the Cuban people, and especially on the most vulnerable sectors of society, and is affecting Cuba's economic growth.

The Democratic Republic of Sao Tome and Principe has excellent relations of cooperation and friendship with Cuba and has always voted in favour of the resolution against the embargo. It once again renews its support for resolution 70/5.

The Republic of Sao Tome and Principe welcomes the announcement by the United States and Cuba on 17 December 2014 of their intentions of diplomatic rapprochement, which led to the opening of embassies in the two capitals.

Thus, the recent visit made to Cuba by President Barack Obama gave a clear sign of the intentions of the two Governments, which need to resolve the remaining differences in a climate of peaceful coexistence and good neighbourliness, thus seeking solutions to improve their bilateral relations in order to strengthen cooperation and lasting peace.

## Saudi Arabia

[Original: English]
[25 April 2016]

Saudi Arabia enjoys normal diplomatic and trade relations with the Republic of Cuba. Saudi Arabia has not applied laws or measures against Cuba that would prohibit economic, commercial or financial relations between Saudi Arabia and the Republic of Cuba. In this context, Saudi Arabia is committed to the purposes and principles of the Charter of the United Nations and recalls and affirms its position with regard to General Assembly resolution 70/5.

## Senegal

[Original: French]
[27 April 2016]

Senegal reaffirms its commitment to the principles and purposes of the United Nations. As in the past, it is in compliance with the provisions of resolution 70/5 adopted by the General Assembly on 27 October 2015.

## Serbia

[Original: English]
[20 April 2016]

The Republic of Serbia, guided by the purposes and principles of the Charter of the United Nations and reatfirming its commitment to the rules and principles of international law, fully implements General Assembly resolution 70/5 and has never promulgated or applied any laws or measures or acts of the kind referred to in the preamble to the resolution.

The Republic of Serbia has consistently supported the aforementioned resolution in the General Assembly and voted in its favour.

The Republic of Serbia calls for an end to the economic, commercial and financial embargo against Cuba, expressing the desire of the overwhelming majority of States Members of the United Nations.

## Seychelles

[Original: English]
[4 May 2016]

The Government of the Republic of Seychelles once again fully endorses the content of the General Assembly resolution 70/5.

Seychelles pursues a policy of full respect for international laws and is committed to the principles and purposes of the Charter of the United Nations, particularly, the sovereign equality of States and non-interference in the internal matters of other states.

The Government of Seychelles continues to reject the imposition of laws and regulations with extraterritorial impacts and all other forms of coercive economic measures, and calls upon States to refrain from promulgating and applying such laws and measures as they affect the sovereignty of other States, the legitimate interests of entities under their jurisdiction and the freedom of trade and navigation.

That being said, the Government of Seychelles welcomes the attempts by the United States and Cuba to normalize the relations between the two countries. Seychelles has always been of the view that the strained relationship between the United States and Cuba has not been conducive to sustainable development of the people of both the United States and Cuba, and is encouraged by the developments between the two countries.

In this context, Seychelles urges that the recent positive development between the two countries be reinforced through the expeditious removal of the current embargo facing the Republic of Cuba, which we believe will have a tremendous positive impact in the lives of the people of Cuba.

The Government of Seychelles will continue to consistently support the annual resolution on this item and continuously votes in favour of this resolution in the General Assembly.

## Sierra Leone

[Original: English]
[2 June 2016]

The Government of Sierra Leone has closely monitored the resuscitation of diplomatic ties between Cuba and the United States with the opening of their embassies in the two capitals.

Furthermore, the historic visit of President Barack Obama, becoming the first President of the United States to visit Cuba since the revolution led by Fidel Castor in 1959, was a positive step. This was reiterated by President Obama in his statement that "it is time to look forward to the future together — a future of hope".

Consequent to these positive trends, Sierra Leone reaffirms its support for General Assembly resolution 70/5, and the Government fully endorses the lifting of the sanctions and calls for an end to the United States trade embargo on Cuba.

## Singapore

[Original: English]
[3 May 2016]

The Government of Singapore reaffirms its support for General Assembly resolution 70/5. Singapore has consistently supported resolutions calling for an end to the United States trade embargo on Cuba since 1995 and has voted in their favour.

## Solomon Islands

[Original: English]
[18 April 2016]

Solomon Islands calls for the unconditional lifting of the 1962 economic and financial blockade on Cuba by the Government of the United States in accordance with the principles and purposes of the Charter of the United Nations.

Solomon Islands welcomed restoration of diplomatic relations between the United States and Cuba in 2014 and acknowledges the historic visit of President Obama to Cuba in March 2016, making President Obama the first President of the United States to visit its neighbour Cuba in 88 years.

Solomon Islands welcomes the growing engagements between the United States and Cuba and hopes legislative action by the United States Congress will support President Obama's initiative to lift in totality the economic, commercial and financial embargo imposed by the United States on Cuba.

Solomon Islands acknowledges the spirit, resilience and generosity of the Government and people of Cuba in educating, sheltering and clothing children from a multitude of States studying there despite the imposed hardship.

## Somalia

[Original: English]
[20 April 2016]

Somalia has no laws or measures of the kind referred to in the preamble to resolution 70/5, in conformity with obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.

## South Africa

[Original: English]
[6 May 2016]

The Government of South Africa welcomes the historic rapprochement between the United States and Cuba and the visit to Cuba by President Barack Obama in March 2016, the first visit to Cuba by a sitting President of the United States in nearly 90 years. President Obama's statement in Havana to Cuban civil society that "it is time for us to lift the embargo" is a demonstration of his commitment to charting a new course for United States-Cuba relations.

Furthermore, the proposal to shut down the detention facility at Guantanamo Bay and to identify potential sites where detainees could be transferred, as well as the announcement that scheduled commercial airline services between the two countries would be resumed, are applauded. It is clear that the positive steps that have thus far been taken, particularly in easing restrictions on travel and remittances and in the telecommunications sector, are encouraging but not enough. South Africa and the overwhelming majority of the international community have for 24 consecutive years supported the annual resolutions in the General Assembly calling for the immediate lifting of the economic blockade unilaterally imposed by the United States on Cuba.

The Republic of South Africa further urges the President of the United States to take all the necessary measures within his wide executive powers to deal with all outstanding issues regarding the embargo.

The Republic of South Africa reiterates its unconditional support for the implementation of General Assembly resolution 70/5 and takes this opportunity to appeal once again to the international community to redouble its efforts to promote constructive and transparent dialogue between the two countries, with a view to achieving the objectives of all the resolutions already adopted by the United Nations on the matter and to ensure the sustainable further progress of the people of Cuba.

## South Sudan

[Original: English]
[1 June 2016]

The Republic of South Sudan reiterates its profound concern at the continuation of the economic, commercial and financial embargo imposed by the United States against Cuba. In line with the majority of States Members of the United Nations and African Union resolutions Assembly/AU/Res.1 (XVII), Assembly/AU/Res.1 (XIX) and Assembly/AU/Res.1 (XXI), the Republic of South Sudan calls for the lifting of the embargo endured by the Cuban people for over half a century. The Republic of South Sudan considers that the economic, commercial and financial embargo imposed against Cuba is a unilateral act contrary to the principles of international law enshrined in the Charter of the United Nations and the basic principles of the multilateral trading system. The Republic of South Sudan considers that these coercive measures are affecting Cuba's economic growth and impeding its social and human development.

## Sri Lanka

[Original: English]
[7 April 2016]

Sri Lanka does not approve of the use of unilateral economic measures against any country that are inconsistent with the principles of the Charter of the United Nations and international law. Sri Lanka is of the view that the implementation of such measures impedes the rule of law, the transparency of international trade and the freedom of trade and navigation.

Sri Lanka has not promulgated any laws and measures referred to in the preamble to resolution 70/5. Sri Lanka has continuously supported the adoption of

the resolutions on this item at the General Assembly and has taken the position that the economic, commercial and financial embargo imposed by the United States against Cuba needs to end.

## Sudan

[Original: English]
[8 April 2016]

General Assembly resolution 70/5 is a very important resolution. In its statement before the General Assembly, the Sudan fully supported the resolution and called for an end to the economic, commercial and financial blockade imposed by the United States against Cuba.

Diplomatic relations between the Republic of the Sudan and Cuba were established in 1969. The year 2015 marked the forty-sixth anniversary of bilateral relations between the two countries. An advanced step in bilateral relations between the two countries was taken when the Ambassador of the Republic of the Sudan to Venezuela was accredited as Ambassador to Cuba in March 2014. Furthermore, the bilateral relations between the two countries have been enhanced by an exchange of visits undertaken by senior officials in both countries.

The Government of the Republic of the Sudan pursues a policy of full respect for international law and the principles and purposes of the Charter of the United Nations, the sovereign equality of States and non-interference in the internal affairs of other States. Consistent with its principled stand, the Sudan opposes the imposition of sanctions on developing countries owing to their devastating impact on the efforts of those countries to achieve sustainable development and because they constitute a violation to the Charter of the United Nations. In that regard, the delegation of the Sudan participates every year in the debate of the General Assembly on the agenda item and votes along with the majority of Member States in favour of General Assembly resolutions prohibiting the imposition of such unilateral measures and sanctions. The Government of the Republic of the Sudan reaffirms that it does not promulgate or apply any laws or measures that could, by being applied outside its own national borders, affect the sovereignty of any State. The Government of the Republic of the Sudan calls for the repeal of laws that impose such measures.

On the basis of the foregoing, the Sudan opposes the economic and commercial embargo imposed by the United States against Cuba, which has caused great damage and suffering to Cuban people and violated the legitimate rights and interests of Cuba, being a flagrant violation of international law and the Charter of the United Nations and showing disregard for their lofty and noble principles.

Sudan itself continues to suffer from the unilateral economic, financial and commercial sanctions imposed by the United States since November 1997. Such unilateral sanctions and coercive measures are in violation of the legitimate right of the Sudan and Cuba and all developing countries and their peoples to choose their own political, economic and social system that fully responds to their aspirations.

Since the adoption of General Assembly resolution 70/5, the Government of the Republic of the Sudan has put the issue before the concerned multilateral organs with a view to mobilizing support for the elimination of all forms of unilateral

coercive economic measures on developing countries. The Republic of the Sudan also commends the initiative of the modernization of the social and economic model, presented by Cuba.

## Suriname

[Original: English]
[17 May 2016]

The Republic of Suriname remains firmly committed to the purposes and principles as enshrined in the Charter of the United Nations as well as upholding the principles of International Law. The Permanent Mission of Suriname therefore would like to, once again, place on record that the Government of the Republic of Suriname has never promulgated or applied laws and measures of the kind referred to in resolution 70/5.

The Government of the Republic of Suriname is of the considered view that sovereign equality, non-interference in the internal affairs of other States and other relevant norms governing international relations should be respected at all times.

## Swaziland

[Original: English]
[1 June 2016]

The Kingdom of Swaziland applauds the steps that have been taken by the United States and Cuba towards normalization and re-establishment of the invaluable bilateral relations between the two countries. Swaziland fully supports all efforts aimed at ending the blockade against Cuba, an act that is imperative to the development of the country.

The embargo has caused huge material losses and economic damage to the people of Cuba, as well as undermining the legitimate economic interests of third countries. Further, the embargo is contrary to the Charter of the United Nations and to the principles of good neighbourliness.

The ending of the blockade will also be in line with several global agendas adopted by world leaders aimed at ensuring that all world countries attain sustainable development, improvement of the quality of life of their people and eradication of poverty.

To this end, Swaziland's fervent hope is that the United States will positively respond to the international community's legitimate demand that the blockade be lifted so that Cuba can enjoy all the freedoms, rights and privileges enjoyed by all sovereign nation States without any hindrance.

The Kingdom of Swaziland strongly believes that continued constructive dialogue is necessary and key to fostering mutual trust, understanding, harmony and peaceful coexistence among all nations of the world.

## Switzerland

[Original: French]
[2 June 2016]

The Swiss Government has taken note of resolution 70/5, adopted by the General Assembly on 27 October 2015.

## Syrian Arab Republic

[Original: Arabic]
[7 April 2016]

The Syrian Arab Republic affirms that unilateral coercive measures in all their forms are illegal and constitute a violation of the Charter of the United Nations, the principles of international law, human rights and international humanitarian law. They are also in blatant contradiction of the rules and principles that govern relations between States, especially the principles of the sovereign equality of States, non-interference in the internal affairs of States, and the need to develop friendly relations between States and promote the stability and well-being of their peoples.

The Syrian Arab Republic rejects, as a matter of principle, the imposition by States or regional or subregional entities of any unilateral measures, whether economic, commercial or financial, for the purposes of coercing developing States politically or economically, or forcing them to take specific steps or modify their policies. Unilateral measures constitute a collective punishment of a people as a whole, undermine the United Nations system and adversely affect its powers. Moreover, they hamper international trade and the full realization of the rights set out in human rights instruments.

The Syrian Arab Republic notes that unilateral measures, such as halting development aid for certain developing countries, breaking off economic relations with those States, imposing an economic, commercial and financial embargo on them, prohibiting financial and banking operations with them and preventing investments into and out of certain developing States, in addition to the use of various forms of pressure and provocation against other Governments in order to force them to adopt such unilateral measures, reduce the opportunities for the peoples of affected States to achieve sustainable development.

Moreover, those measures stir up feelings of hostility towards the West. The majority of such measures have been and continue to be imposed by Western States, especially the United States and certain European States, in order to weaken the Governments of States Members of the United Nations and impose their own will on them, contrary to the wishes of the peoples of the concerned States and their national and regional interests. This exacerbates tensions between States and threatens international peace and security.

The Syrian Arab Republic also affirms that the embargo that the United States has imposed on Cuba for more than five decades is unlawful and is inconsistent with the standards adopted by the international community for interaction between States.

The embargo has subjected Cuba to various kinds of economic, social and political harm. It has intensified the suffering of the Cuban people and affected their intensive efforts to achieve well-being and prosperity. The embargo has placed the United States in a position that cannot be justified under any circumstances from a legal or moral point of view, one that is politically at odds with the overwhelming majority of United Nations Member States.

The Syrian Arab Republic reiterates the position of the Movement of Non-Aligned Countries, which calls for an end to the embargo imposed by the Government of the United States against Cuba. It also recalls that the Group of 77 and China has repeatedly rejected these unilateral coercive measures and appealed to the United States to end to its embargo on Cuba.

While the Syrian Arab Republic welcomes the recent changes in United States policies towards Cuba, the re-establishment of diplomatic relations between the two countries and the recognition by the President of the United States that the embargo is outdated and should be abolished, we once again call for the lifting of the economic, financial and commercial embargo imposed by the United States against Cuba since 1959. The embargo remains in force despite the successive calls by States Members of the Organization, United Nations agencies, regional organizations and specialized agencies to lift the embargo.

In keeping with its principled position regarding the unilateral measures taken by the United States and the economic, commercial and financial embargo imposed by that country against Cuba, and its belief in the right of peoples to pursue all legitimate means to protect and strengthen their economic, social and cultural rights, including the right to development, as enshrined in the International Covenant on Economic, Social and Cultural Rights and the Universal Declaration of Human Rights, the Syrian Arab Republic was one of the 191 States to vote in favour of General Assembly resolution 70/5, in which the Assembly emphasized the need for compliance with the purposes and principles of the Charter of the United Nations and reaffirmed the principles of the sovereign equality of States, non-intervention in their internal affairs and freedom of international trade and navigation. In that resolution, the Assembly reiterated its call for all States to refrain from promulgating and applying laws and measures of the kind imposed on Cuba and called for an end to the economic, commercial and financial embargo that has been imposed on Cuba for more than five decades.

The General Assembly is urged to take the necessary measures, in accordance with its mandate and its relevant resolutions, to put an end to the hostile practices, policies of embargo and unilateral economic measures contrary to international law that have been pursued by certain States towards other States both near and far geographically.

The Syrian Arab Republic calls for the intensification of international efforts to shed light on and bring an end to extreme, unilateral coercive measures against peoples and States, which are connected to the efforts of certain States to hold sway over the countries of the South and their resources.

The Syrian Arab Republic calls for the embargo imposed by the United States against Cuba to be eliminated in all its forms and for the unilateral measures imposed by the United States, the European Union and other States on a number of countries, including the Syrian Arab Republic, to be brought to an end. In addition

to the extensive harm they cause the Syrian economy, those coercive measures make it impossible for Syrians to secure such basic needs as food, medicine, medical equipment, fuel and agricultural supplies, civilian air transport and communication equipment, and therefore comprehensively violate the human rights of the Syrian people.

The Syrian Arab Republic hopes that the United States will respect, and its institutions fully heed, the will of the international community, which it has expressed through the General Assembly and other international institutions and organizations.

## Tajikistan

[Original: English]
[31 May 2016]

The Government of Tajikistan reaffirms its position in support of General Assembly resolution 70/5.

Tajikistan is committed to the principles of international law and supports the fundamental rights of nations to freely choose their own ways of development. Taking into account, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and the freedom of international trade, Tajikistan believes that such economic, commercial and financial measures against Cuba continue to adversely affect the living conditions and human rights of the Cuban people and hamper the efforts of the Government of Cuba to achieve internationally agreed development goals, including the Sustainable Development Goals.

Furthermore, given that the international community is facing major challenges, such as the global financial and economic crisis and the resulting increase in poverty, unemployment and malnutrition, the imposition of embargoes and sanctions will be more unjustifiable than ever and deserves appropriate reactions at the global level. Such actions are contrary to the principles of international law, the sovereign equality of States, non-interference in the internal affairs of States and peaceful coexistence among States.

Tajikistan welcomes the resumption of diplomatic relations between Cuba and the United States and hopes that the steps undertaken by the United States to ease the blockade will further contribute to the development of Cuba.

Tajikistan enjoys friendly diplomatic and economic relations with Cuba. Tajikistan will continue to undertake further measures to strengthen cooperation between the two countries.

## Thailand

[Original: English]
[26 May 2016]

Since 1994, the Royal Thai Government has consistently supported General Assembly resolutions calling for an end to the trade and economic embargo against Cuba.

Thailand opposes the imposition by one country of its national law on another country which, in effect, compels a third party to comply with it. Such an act would be contrary to the fundamental principles of international law and the Charter of the United Nations.

The imposition of the unilateral embargo against Cuba has undermined the socioeconomic development of the country and caused the suffering of its people.

Thailand has maintained neither legal provisions nor domestic measures of such nature and continues to discourage them.

## The former Yugoslav Republic of Macedonia

[Original: English]
[26 May 2016]

The Republic of Macedonia has neither applied nor promulgated any unilateral sanctions or embargo and reiterates that it fully implements resolution 70/5.

## Togo

[Original: French]
[9 June 2016]

In keeping with the purposes and principles of the Charter of the United Nations, Togo has always striven to promote respect for the sovereign equality and territorial integrity of States and for non-intervention and non-interference in their internal affairs. Likewise, it supports unreservedly the principle of freedom of trade and navigation, which is enshrined in numerous international legal instruments.

Consequently, Togo systematically rejects the use of any unilateral measures to exert pressure on States.

For this reason, it has never promulgated or applied any laws or regulations aimed at curtailing the sovereignty of other States or the legitimate interests of entities or persons under their jurisdiction.

The Government of Togo has consistently supported the steps taken by the Cuban Government to end the embargo imposed against Cuba by the United States of America. Ending the embargo has become an urgent necessity, as it would contribute to further advances towards the restoration of diplomatic, economic and trade relations between the two countries, a goal that the Togolese Republic wholeheartedly supports.

## Tonga

[Original: English]
[10 June 2016]

The Kingdom of Tonga adheres fully to the purposes and principles enshrined in the Charter of the United Nations and accepted under international law, in particular, the principles of sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

Thus, the Kingdom of Tonga has not promulgated or applied any laws or measures of the kind referred to in the preamble to resolution 70/5. The Kingdom of Tonga maintains friendly and diplomatic relations with Cuba.

## Trinidad and Tobago

[Original: English]
[16 June 2016]

The Government of the Republic of Trinidad and Tobago remains fully committed to the purposes and principles of the Charter of the United Nations, and in particular to the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

The Government remains steadfast in its view that discriminatory trade practices and the extraterritorial application of domestic laws are inconsistent with the purposes and principles enshrined in the Charter of the United Nations and in international law. Accordingly, in conformity with its obligations under the Charter and in international law, Trinidad and Tobago does not apply unilateral economic measures as a means of political and economic coercion against other States.

Since 1972, when diplomatic relations were established, the Government of the Republic of Trinidad and Tobago has maintained a multifaceted relationship with the Republic of Cuba, an important dimension of which is trade and economic relations. Trinidad and Tobago consistently supports subregional, regional and international efforts to promote constructive dialogue to bring about the cessation, sooner rather than later, of the economic, commercial and financial embargo against Cuba, which significantly challenges the achievement of sustainable development in that country.

Trinidad and Tobago therefore welcomes, with enthusiasm, the re-opening of direct, frank dialogue between Cuba and an influential and respected member of the international community. We are encouraged, in particular, by the recently concluded summit between the two countries and the ensuing open dialogue on several issues, including those on which they maintain divergent views and policies. While expressing its congratulations to both sides in support of the process they have launched to build a mature and open bilateral relationship, based on mutual respect and sovereign equality, Trinidad and Tobago reaffirms its position that the full achievement of such a relationship will continue to be elusive, without the lifting of the embargo. This crucial goal must be a priority for both Governments and peoples.

Trinidad and Tobago therefore renews, with fervour, its long-standing call for the full re-integration of Cuba into the international system.

This position has been consistently reinforced in subregional and regional bodies to which Trinidad and Tobago subscribes, such as the Caribbean Community; the Organization of American States; the Community of Latin American and Caribbean States; the African, Caribbean and Pacific Group of States and the Non-Aligned Movement.

## Tunisia

[Original: French]
[24 May 2016]

Tunisia reaffirms its commitment to the principles of the Charter of the United Nations and international law.

In that context, Tunisia supported resolution 70/5 and all of the previous General Assembly resolutions calling for the lifting of the embargo imposed on Cuba.

Tunisia does not apply unilateral laws or measures with extraterritorial effects. It therefore has not promulgated or applied any laws or measures against Cuba prohibiting economic, commercial or financial relations between the two countries.

## Turkey

[Original: English]
[9 May 2016]

The Republic of Turkey does not have any laws or measures of the kind referred to in the preamble to resolution 70/5. It expresses concern at such measures, which adversely affect the living standards of people, and reaffirms its adherence to the principles of freedom of trade and navigation in conformity with the Charter of the United Nations and international law.

The Government of Turkey maintains its stance that differences and problems between States should be settled through dialogue and negotiations.

## Turkmenistan

[Original: English]
[1 June 2016]

Turkmenistan once again reaffirms its position in support of General Assembly resolution 70/5.

Turkmenistan condemns the use of unilateral economic measures as a means of exerting political and economic pressure. Such measures contravene the basic principles of international law and the principles and purposes of the Charter of the United Nations and other fundamental international legal instruments.

The unilateral embargo against the Republic of Cuba holds back the development of the Cuban economy and creates a big obstacle on the implementation of the 2030 Agenda for Sustainable Development. Unilateral sanctions and other means of economic pressure are counterproductive and may lead to tension in relationships between States, in the region and in the international arena as a whole.

Accordingly, Turkmenistan calls for the economic, commercial and financial embargo imposed against Cuba to be lifted promptly, which would be an important step towards the further normalization of inter-State relations between Cuba and the United States of America.

The relevant United Nations agencies should take appropriate steps to prevent the use by individual States of economic sanctions and unilateral coercive measures against other independent States, including Cuba.

## Tuvalu

[Original: English]
[1 June 2016]

The Government of Tuvalu supports and promotes the principles and purposes of the Charter of the United Nations, which calls for solidarity, cooperation and friendly relations and fair trade practices among all nations. The current embargo against Cuba constrains the efforts of that Government and its people in pursuing and achieving their developmental and social goals and aspirations and human rights. Despite the embargo, Cuba has continued to assist Tuvalu and many other developing countries, by training medical personnel in its renowned universities. Cuba can really do much more to enhance its global outreach, witnout the embargo.

The Government of Tuvalu fully supports the lifting of the economic, commercial, immigration and financial embargo against Cuba in line with the unequivocal and continued request of the clear majority of States Members of the United Nations. The current positive advances in mending the relations between the United States and the Republic of Cuba are honourable steps in the right direction, very much appreciated by Tuvalu.

## Uganda

[Original: English]
[25 May 2016]

Uganda has normal trading relations with Cuba and does not honour the embargo.

## United Arab Emirates

[Original: English]
[11 April 2016]

The United Arab Emirates voted in favour of resolution 70/5, which was adopted by 191 votes.

The United Arab Emirates acts in accordance with its obligations under the principles and goals of the Charter of the United Nations and international law and emphasizes that all States should enjoy full freedom of trade and navigation in all international sea lanes in accordance with international law. Therefore, the United Arab Emirates does not apply any economic, commercial or financial embargo on Cuba, nor does it permit the application of such measures outside the context of international legitimacy.

## United Republic of Tanzania

[Original: English]
[2 June 2016]

The United Republic of Tanzania reiterates its solidarity and support for the Government and people of Cuba in calling for the immediate end of the economic, commercial and financial embargo imposed by the United States against Cuba.

The embargo continues to affect Cuba's economy, impede development and have an impact on the daily lives of the Cubans. Its termination, as called for by the General Assembly in numerous resolutions, including resolution 70/5, would open up greater opportunities for the Cuban people, who, despite the protracted blockade, have continued to render valuable support and assistance to many nations, including the United Republic of Tanzania, in several fields, such as health, agriculture and education.

The United Republic of Tanzania continues to welcome the positive steps taken by the current Administration of the United States and further encourages it to speed up affirmative action that would ultimately end the embargo against Cuba.

## Uruguay

[Original: Spanish]
[18 May 2016]

The Eastern Republic of Uruguay has always strictly respected and observed the principles of international law and all the norms set forth in the Charter of the United Nations.

Accordingly, Uruguay has not promulgated or applied any provisions affecting the sovereign equality or decisions of other States and respects the principle of non-intervention in the internal affairs of another State.

Uruguay rejects any direct or indirect means constituting unilateral action by one State to impose sanctions for sovereign decisions taken by another State in the political, economic, commercial, social, cultural or other arena.

In addition, Uruguay has strongly condemned any theory that supports or justifies the extraterritorial application of domestic laws, except those that form part of international law, primarily in relation to protective jurisdiction and universal jurisdiction.

In view of the above, Uruguay believes that the sanctions imposed and the extraterritorial laws enacted against Cuba are a violation of international law, have caused untold harm to Cuban economic development, constitute a form of deprivation of the right to development and have inflicted incalculable damage to the dignity and sovereignty of the Cuban people.

The restoration of diplomatic relations and the new rounds of negotiations between Cuba and the United States are a first step towards normalizing relations between the two countries and represent significant progress towards regional stability in Latin America.

Uruguay urges the Government of the United States to use its broad executive powers to substantially modify the blockade.

Uruguay calls for continued dialogue and for further progress in the negotiations aimed at resolving this unjust situation, as set out in General Assembly resolution 70/5, which reiterates the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

## Uzbekistan

[Original: Russian]
[4 July 2016]

Uzbekistan supports resolution 70/5 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba and reiterates its commitment to the purposes and principles enshrined in the Charter of the United Nations and international law.

Uzbekistan fully complies with the provisions of the resolution and has never promulgated or applied laws and measures of the kind referred to in its preamble.

## Vanuatu

[Original: English]
[2 June 2016]

The Government of Vanuatu wishes to reaffirm its position of support for the ending of the economic, commercial and financial embargo imposed by the United States against Cuba. The Government is convinced that lifting the ban will not only help improve the Cuban-United States economy, but ensure that the Cuban people have access to and enjoy basic human rights.

Vanuatu has not applied any laws or measures against Cuba that would prohibit economic, commercial or financial relations between the two countries. Vanuatu has maintained mutual relations with Cuba and strengthened relations through South-South cooperation. Vanuatu firmly believes that constructive dialogue is necessary to promote confidence and understanding.

Furthermore, the Government would like to recall the principles of the Charter of the United Nations and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small.

## Venezuela (Bolivarian Republic of)

[Original: Spanish]
[27 May 2016]

The Bolivarian Republic of Venezuela is against the application of unilateral measures with extraterritorial effects that violate the sovereign rights and political independence of other States or the human rights of their people. For our country, such acts are in breach of the Charter of the United Nations and other international legal instruments and violate the freedom of trade and navigation and the norms of the international trading system. Constant compliance with all the values and tenets expressed in its Constitution, such as humanism, cooperation, solidarity among peoples and staunch pacifism guided by unconditional respect for the norms and

principles of international law, forms the foundation of the positions adopted by Venezuela in its international relations.

In that connection, the Bolivarian Republic of Venezuela once again reaffirms its condemnation of the application by the United States of the extraterritorial provisions of the Torricelli and Helms-Burton Acts, which have caused serious additional harm to the Cuban economy over the past 25 years in terms of its economic relations with third countries and with the subsidiaries of United States firms.

Venezuela has strongly supported the 24 resolutions on this subject that have been adopted by an overwhelming majority of the General Assembly since 1991, as well as the declarations repudiating this type of hostile action, which undermines peaceful coexistence between nations and international legality, that have been made in other international forums.

Venezuela welcomes the re-establishment of diplomatic relations between the Governments of Cuba and the United States, and recognizes the expressed will of President Barack Obama to work for the elimination of the economic, commercial and financial embargo against Cuba, but it again calls on the Government of the United States of America to end the merciless economic, commercial and financial embargo imposed against the fraternal people of Cuba. Although President Obama has stated that he can use his executive power to introduce a series of measures with limited effect, Venezuela believes that he can do much more to lift the cruel embargo on Cuba and have a sizeable and meaningful impact on the clearly harmful effects of the embargo that his country has ruthlessly imposed on generations of Cubans.

Therefore, a favourable response to this international appeal would demonstrate the commitment of the United States to international law, as evidenced by unconditional respect for the principles and purposes of the Charter of the United Nations.

The policy of confrontation that has been promoted and implemented by the United States for decades has affected the well-being of the Cuban people, whose human rights have been violated as a result of the implementation of these illegal measures. In that regard, the Government of the Bolivarian Republic of Venezuela urges the United States to comply strictly with General Assembly resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11, 62/3, 63/7, 64/6, 65/6, 66/6, 67/4, 68/8, 69/5 and 70/5.

The Bolivarian Republic of Venezuela therefore reiterates its condemnation of the continuation of the economic, commercial and financial embargo imposed against Cuba by the United States of America. Keeping it in place in no way fosters the climate of dialogue and cooperation that must prevail in international relations among sovereign, independent States in conformity with the spirit and purpose of the Charter of the United Nations and with General Assembly resolution 2625 (XXV) on the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, adopted on 24 October 1970.

According to the reports of the Secretary-General on the implementation of the resolutions on this subject and those produced by such multilateral organizations as the Economic Commission for Latin America and the Caribbean, the United Nations Conference on Trade and Development, the Food and Agriculture Organization of

the United Nations and the United Nations Development Programme, the enormous economic and financial losses caused by the embargo amount to billions of dollars, compounded by the loss of the right to freedom of trade and navigation, which curbs any possibility of comprehensive economic and social advancement for the fraternal people of Cuba.

Such punitive measures also include prohibiting United States authorities from selling health-care technologies to Cuba. Thus, the Government of the United States, with its policies of persistent aggression, is flagrantly violating the human rights of the Cuban people, and particularly its right to health, by blocking the sale of equipment and drugs to this fraternal Latin American country.

The Bolivarian Republic of Venezuela therefore endorses the repeated declarations made by, inter alia, the Movement of Non-Aligned Countries, the twenty-fifth Ibero-American Summit of Heads of State and Government, the fourth Summit of Heads of State and Government of CELAC, and the sixth Summit of Heads of State and Government of the Association of Caribbean States in repudiation of the application of unilateral measures with extraterritorial effects, which they consider to be contrary to dialogue and cooperation as genuine expressions of inclusive and transparent multilateralism.

In that regard, the Bolivarian Republic of Venezuela wishes to draw attention to the declaration adopted at the fourth Summit of Heads of State and Government of CELAC, held in Quito on 26 and 27 January 2016, in which those Heads of State and Government welcomed the restoration of diplomatic relations between Cuba and the United States of America and the reopening of embassies in both countries, reiterated their deepest rejection of the application of unilateral coercive measures and reaffirmed their call to the Government of the United States to unconditionally end the economic, commercial and financial blockade imposed on that sister nation for over five decades. They urged the President of the United States to use his broad executive powers to substantially modify the blockade.

Furthermore, the Ministers for Foreign Affairs of the Bolivarian Alliance for the Peoples of Our America — Peoples' Trade Agreement, who met in Caracas on 10 August 2015 at the fourth special meeting of the Political Council, reiterated the call to immediately lift the United States embargo against Cuba and acknowledged that even though the measures implemented by the United States Government on 15 January 2015 constituted a step in the right direction, their scope was limited and modified only certain aspects of the application of the blockade. In that regard they urged the President of the United States to take action within his broad executive powers to substantially modify the implementation of that policy, and called on the United States Congress to initiate a debate aimed at lifting the embargo.

Venezuela is convinced that the international community must continue to demand an immediate end to the practice of applying unilateral coercive measures that seek to curtail the sovereign right of States to determine, in keeping with the right of self-determination, their political and social model, in line with the situations and particularities of their respective countries and peoples. It considers that peoples should under no circumstances be deprived of their own means of subsistence and development.

Therefore, the Bolivarian Republic of Venezuela renews its firm commitment to unconditional respect for the norms and principles of international law and

appeals again to the Government of the United States to comply with the 24 resolutions adopted by the General Assembly and to end the merciless and criminal economic, commercial and financial embargo which it has illegally maintained against Cuba for more than 50 years.

## Viet Nam

[Original: English]
[11 May 2016]

The United States policy of blockade and embargo against the Republic of Cuba over the past many decades represents a violation of international laws in general and free trade law in particular and an infringement of fundamental principles of the United Nations Charter, contravening the common desire of nations in the world to build sound and equal international relations, regardless of political system, and in respect for each nation's rights to choose its own path of development.

The General Assembly has for many consecutive years adopted, with an overwhelming majority, resolutions demanding that the United States end its economic, trade and financial blockade and embargo policies and laws against Cuba, the most recent of which is resolution 70/5, adopted with 191 votes in favour.

Viet Nam reaffirms its strong support for the related General Assembly resolutions and believes that the United Nations will soon produce concrete initiatives and measures to rapidly implement the adopted resolutions in order to put an immediate end to the blockade and embargo against Cuba.

It is the view of Viet Nam that the differences between the United States and the Republic of Cuba should be solved through dialogue and negotiation, in the spirit of mutual respect, respect for each other's independence and sovereignty and non-interference in the other's internal affairs.

Viet Nam welcomes the re-establishment of the diplomatic ties between Cuba and the United States after 53 years of interruption. Viet Nam believes those developments are the beginning of the full normalization of bilateral relations, which will bring legitimate interests for the people of Cuba and the United States and significantly contribute to the maintenance of peace and stability, as well as the enhancement of cooperation in the Americas and the world.

Once again, Viet Nam confirms its friendship, cooperation and solidarity with the Cuban people and resolves to do its utmost with other peace-, freedom- and justice-loving peoples in the world to help the Cuban people overcome the consequences of the above-mentioned immoral and illegal blockade and embargo policy.

## Yemen

[Original: English]
[17 May 2016]

The Government of the Republic of Yemen reasserts its strong belief in the principles contained in the Charter of the United Nations and the principles of international law relating to national sovereignty, nonaggression, non-intervention

in the internal affairs of States, mutual respect, peaceful coexistence and the settlement of disputes between States by peaceful means.

The Government of Yemen supports the efforts of the Secretary-General to create effective means of implementing resolution 70/5, aimed at the adoption by the international community of effective measures to eliminate the use of unilateral economic measures as a means of economic and political coercion against developing countries.

It should be noted that for some 36 years the Republic of Yemen has enjoyed outstanding diplomatic relations with the fraternal Republic of Cuba at the economic, social and cultural levels. Yemen has consistently sought to develop and strengthen those relations in the joint interests of both countries and peoples. It has concluded several bilateral cooperation agreements with the fraternal Republic of Cuba at the diplomatic, economic, cultural and medical levels. As a result of those agreements, Cuban citizens have been sent to Yemen and educational missions have gone to Cuba, and there has been active cooperation in a number of areas.

## Zambia

[Original: English]
[24 May 2016]

Zambia continues to be greatly concerned that, after 54 years of the embargo and 24 consecutive General Assembly resolutions calling for an end to the unilateral coercive measures against Cuba, many sanctions remain in place.

Zambia voted in favour of resolution 70/5 and so reaffirms its commitment to refrain from promulgating and applying laws and measures of the kind referred to in the preamble, in conformity with its obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.

Zambia welcomes other subsequent measures undertaken by the United States, including the 16 January 2015 decision to amend the Cuban Assets Control Regulations and the Export Administration Regulations.

It further welcomes the move by President Barack Obama to undertake a historic State visit to Cuba on 21 March 2016, which shows that President Obama has changed the diplomatic approach of the United States that underpinned the embargo. However, this still has not ended the embargo on Cuba, as the economic sanctions are still firmly in place. The measures promulgated by the White House to date have been of limited scope and there is much that the President can still do to make substantial changes in application of the embargo by using his executive prerogatives. We appeal to the Congress of the United States to move with the times and play its role in lifting the sanctions.

Zambia calls upon the United States to work with Cuba, rather than against it, to improve life in the country through negotiations and commercial ties rather than isolation and economic pressure. Zambia therefore regrets the untold suffering that the decades-long economic, commercial and financial embargo has caused to the Cuban people. In particular, it continues to call for restoration of the right of the Cuban people to influence their own development path. It therefore looks forward to

the complete restoration of Cuba's rights in keeping with all relevant United Nations resolutions.

## Zimbabwe

[Original: English]
[23 May 2016]

The economic, commercial and financial embargo against Cuba remains a major concern in relations between Cuba and the United States. The embargo has caused severe economic damage and hardships to the Cuban people. As a result, the continuation of the embargo remains an issue of grave concern to the international community. The blockade also remains a major obstacle to Cuba's potential for economic development, growth and trade. Zimbabwe is of the view that the continuation of the economic blockade of Cuba is indefensible and unjustified.

Zimbabwe shares the opinion of the greater majority of the membership of the United Nations, as attested by the overwhelming support for resolution 70/5, that the economic, commercial and financial blockade of Cuba constitutes a flagrant violation of the fundamental norms of international law. The blockade is also contrary to the principles and purposes of the Charter of the United Nations, in particular the principles of the sovereign equality of States and non-interference in each other's domestic affairs. Moreover, the economic blockade against Cuba is contrary to accepted international trade regulations and practices.

Zimbabwe also joins other Member States in rejecting the promulgation and application of national laws with extraterritorial impact and all other coercive economic measures, including unilateral sanctions, which are targeted mainly at developing countries that seek to reassert their sovereignty. As a victim of illegal economic sanctions, Zimbabwe fully understands their impact and therefore calls upon Member States to refrain from promulgating and applying such laws and measures.

While recent moves by the United States to re-establish diplomatic relations with Cuba are commendable, Zimbabwe firmly believes that the best way of normalizing bilateral relations between the United States and Cuba is the unconditional lifting of the economic, commercial and financial embargo against Cuba. Zimbabwe therefore joins the great majority of the membership of the United Nations in calling for an immediate and unconditional lifting of the economic blockade against Cuba.

## Holy See

[Original: English]
[6 April 2016]

The Holy See has never drawn up or applied economic, commercial or financial laws or measures against Cuba.

The Holy See has been calling and continues to call upon the world to open up to Cuba and Cuba to open up to the world, as His Holiness Pope Francis reaffirmed in his address to the President of Cuba upon his arrival in Cuba on 19 September 2015:

Geographically, Cuba is an archipelago, facing all directions, with an extraordinary value as a "key" between north and south, east and west. Its natural vocation is to be a point of encounter for all peoples to join in friendship, as José Martí dreamed, "regardless of the languages of isthmuses and the barriers of oceans". Such was also the desire of Saint John Paul II, with his ardent appeal: "May Cuba, with all its magnificent potential, open itself to the world, and may the world open itself to Cuba" (arrival ceremony, 21 January 1998).

For some months now, we have witnessed an event which fills us with hope: the process of normalizing relations between two peoples following years of estrangement. It is a process, a sign of the victory of the culture of encounter and dialogue, "the system of universal growth" over "the forever-dead system of groups and dynasties", as José Martí said. I urge political leaders to persevere on this path and to develop all its potentialities as a proof of the high service which they are called to carry out on behalf of the peace and well-being of their peoples, of all America, and as an example of reconciliation for the entire world.

## State of Palestine

[Original: English]
[20 May 2016]

The State of Palestine, which continues to suffer from the devastating humanitarian, socioeconomic, developmental, as well as political and security, impacts of nearly half a century of Israeli military occupation, including an inhumane blockade that has been imposed on the Gaza Strip for a decade in grave breach of international law, reaffirms its full support for the calls by the Republic of Cuba and the overwhelming majority of the international community for an end to the economic, commercial and financial embargo imposed by the United States against Cuba. In this regard, Palestine reaffirms its principled position in support of General Assembly resolution 70/5 of 27 October 2015 and all other relevant United Nations resolutions, as well as the positions of the Movement of Non-Aligned Countries and the Group of 77 and China, among others, calling for an end to the trade embargo that has been imposed for decades against the Republic of Cuba.

While the normalization process of bilateral relations between the Republic of Cuba and the United States is welcome, genuine and viable normalization requires that this longstanding and unjust economic, commercial and financial embargo be effectively ended. We thus join the international community in calling for a swift lifting of this embargo to allow for unimpeded Cuban trade and normal economic activity, which are imperative for sustainable development.

Furthermore, the State of Palestine, guided by the purposes and principles of the Charter of the United Nations and international law, affirms that it has never promulgated or applied laws or measures of the kind referred to in the preamble to General Assembly resolution 70/5.

The State of Palestine enjoys full diplomatic relations with the Republic of Cuba and will continue to stand in solidarity with the people and Government of Cuba and to strive to strengthen political, economic and cultural relations and cooperation with the Republic of Cuba.

# III. Replies received from organizations and entities of the United Nations system

## Comprehensive Nuclear-Test-Ban Treaty Organization

[Original: English]
[31 May 2016]

Cuba has not signed the Comprehensive Nuclear-Test-Ban Treaty and is therefore not a member of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. Additionally, Cuba does not host international monitoring system facilities under the Treaty. On 18 June 2015, Cuba was granted observer status by the Preparatory Commission, enabling it to attend meetings of the Commission and its subsidiary bodies without the right to participate in the decision-making process. As a non-signatory State, however, Cuba is not currently a recipient of equipment and technical support related to the establishment of a national data centre that would provide it with access to the data collected by the international monitoring system, and it does not at present take part in associated capacity-building or training programmes of the organization. Therefore, in the context of General Assembly resolution 70/5, the situation has not arisen whereby the existing embargo could affect the implementation of the organization's projects.

## Economic Commission for Latin America and the Caribbean

[Original: Spanish]
[7 July 2016]

### I. Recent developments in the Cuban economy

The gross domestic product (GDP) of Cuba grew by 4.3 per cent in 2015 (having increased by 1.3 per cent in 2014). This growth was driven by, inter alia, (a) an advance of funds in the fourth quarter of 2014 to finance imports, which had the effect of boosting production at the beginning of 2015; (b) an increase of 24.9 per cent in investment in 2015, compared to a fall of 8.9 per cent the previous year; (c) a greater volume of imported inputs, thanks to a reduced import bill for staples owing to lower international prices; and (d) the adoption of a performance-based pay system in companies (to increase labour productivity in the business sector), which helped to improve the link between producers and their results. In 2015, the inflation rate was 2.8 per cent (2.1 per cent in 2014).

On the fiscal front, the Government expects to close 2015 with a deficit of 5.7 per cent of GDP, reflecting a 21.7 per cent increase in spending on unbudgeted activities. It should be noted that the policy established in 2011 to rationalize expenditure and to make efficient use of public resources, and the firm commitment on the part of the Government of Cuba to meet its external obligations on schedule, for which it strives to keep its current account in surplus, have given Cuba greater financial credibility and have facilitated the renegotiation of its foreign debt, which has improved the country's standing in the eyes of its main creditors. The renegotiation of its Paris Club debt in December 2015 was especially important.

In 2016, according to forecasts, GDP will grow by approximately 2 per cent. This projected slowdown, compared to 2015, is mainly caused by shortages of foreign currency and expected falls in the prices of several of the country's exportable products, such as nickel. The Government of Cuba has stressed that it will make it a priority to strike the right balance in terms of taking out and structuring new loans, paying its renegotiated and current debt, and following its repayment plan. Loans will therefore be taken out with external creditors in accordance with the country's repayment capacity.

This year, it is estimated that the fiscal deficit will come in at 7.1 per cent of GDP, to be funded by the Government through the issuance of sovereign bonds with maturities of between 1 and 20 years and an average interest rate of 2.5 per cent per annum. This increase over the previous year's deficit reflects the higher levels of funding of State business activity to support import substitution (an increase of 31.4 per cent over the previous year), as well as the increase in the subsidy for the basic food basket (5.7 per cent higher). The current account balance is also expected to remain in surplus, at a similar proportion of GDP as in 2015.

In 2016, the Cuban Government intends to make investments in the amount of 7.841 billion pesos (mostly through external financing), which might give an additional boost to economic growth in the coming years.

## II. The embargo against Cuba remains in effect despite the re-establishment of diplomatic relations on 17 December 2014

The United States embargo against Cuba is still in effect. However, following the re-establishment of diplomatic relations between the two countries in December 2014 and the historic visit of President Obama to Cuba in March 2016, there has been a gradual effort to lift some restrictions on, inter alia, travel, telecommunications, financial services, remittances and flights (or to ease requirements).[15]

In practice, however, it has not yet been possible to implement some of the measures announced. One example of this is the authorization for Cuba to use the dollar in transactions abroad. Although the United States Government announced in March 2016 that the dollar could be used in certain transactions, Cuba has not been able to make any banking transactions in dollars through banks in third countries, which continue to fear multimillion dollar fines for processing transactions from Cuba, and Cuban banks are not allowed to establish correspondent relationships with financial institutions in the United States, either. The few United States investments that have been announced have been authorized by the United States Office of Foreign Assets Control (OFAC), after a case-by-case review.

It should be noted that United States citizens are still banned from engaging in tourism to Cuba. The United States Government authorizes travel by its citizens to Cuba only for purposes corresponding to 12 categories, by general licence (although the requirements to obtain such licences have been relaxed). Those categories are: (a) family visits; (b) official business of the United States Government, foreign governments and certain intergovernmental organizations; (c) journalistic activity; (d) professional research and professional meetings; (e) religious activities;

[15] A detailed overview of the type of restrictions lifted by the United States may be consulted on the website of Engage Cuba Coalition, "US Regulatory Amendments to Cuba Sanctions since December 17, 2014", March 2016.

(f) educational activities; (g) activities related to performances; (h) athletic competitions and exhibitions; (i) support for the Cuban people; (j) humanitarian projects; (k) activities of private foundations or research or educational institutions; and (l) exportation, importation, or transmission of information or information materials. In early 2016, those categories were expanded to include the organization of professional meetings or conferences in Cuba; projects to prepare for and respond to natural disasters; artistic productions in Cuba (including films, television and music), and amateur or semi-professional sports competitions, public performances, clinics, workshops and exhibitions.

## A. Sanctions against companies trading with Cuba continue: more recent examples

### A.1 The United States fined Halliburton

The United States Department of the Treasury fined United States company Halliburton a total of US$ 304,706 for violating the Cuban embargo regulations. According to an OFAC report, between February and April 2011, the company and its subsidiaries in the Cayman Islands exported goods and services worth US$ 1,189,752 to support oil and gas exploration, as well as drilling activities, in the Cabinda Onshore South Block in Angola. According to OFAC, the Cuban company Unión Cuba-Petróleo (CUPET) had a 5 per cent stake in the oil and gas production consortium that worked in Angola. That measure constituted another disincentive for United States and foreign entities interested in doing business with Cuba.

### A.2 The United States fined CGG Services S.A.

According to an OFAC report, a fine of US$ 614,250 was imposed because, between 2010 and 2011, CGG Services S.A. and several of its subsidiaries provided services, spare parts and equipment of United States origin for oil and gas exploration to vessels operating in Cuban territorial waters. The Office also reported that the Venezuelan subsidiary of the branch of CGG Services S.A. in the United States conducted five transactions related to the processing of seismic research information carried out by a Cuban entity in the Cuban exclusive economic zone.

### A.3 The United States fined WATG Holdings Inc.

According to OFAC reports, the subsidiary of WATG Holdings Inc. in the United Kingdom, Wimberly Allison Tong & Goo Limited, worked for a Qatari company on the design and architecture of a hotel project in Cuba and received three payments. The company was fined US$ 140,400 for violating the unilateral sanctions regime against Cuba. According to an OFAC report, the payments in question were made between October 2009 and May 2010 and amounted to US$ 284,515.

Since the announcements made on 17 December 2014, the United States Government has fined seven entities (four American and three foreign) for a total of US$ 2,835,622,225. To date, 48 fines have been levied during the term in office of President Obama (2009-2016) for violations of the sanctions regimes against Cuba and other countries. The total value of the fines amounts to US$ 14,397,112,121.[16]

[16] Information from the Cuban Ministry of Foreign Trade and Investment.

### B. Opposition by the international community

At the seventieth session of the General Assembly, held in October 2015, a resolution calling for an end to the economic, commercial and financial embargo imposed by the United States against Cuba was adopted for the twenty-fourth time. A total of 191 Member States — an overwhelming majority — voted in favour of ending the embargo against Cuba. The United States and Israel voted against the resolution and no country abstained. Since 1992, the vote in the General Assembly on the resolution calling for the end of United States sanctions has been held every year. That resolution has been receiving increasing support: in 2014, 188 countries voted in favour of ending the embargo and only the United States and Israel voted against it.

### C. Total economic impact of the economic, commercial and financial embargo

According to the most recent report by the Cuban Government, as at June 2015, the economic damage caused by the embargo, taking into account the depreciation of the dollar against the value of gold in the international market, was US$ 833.755 billion. If the economic damage is restated at current prices, that amount totals more than US$ 121.192 billion, equivalent to 139.1 per cent of GDP for Cuba in 2015.[17]

## III. The modernization of the Cuban economic model and the seventh congress of the Communist Party of Cuba

### A. Brief overview of the modernization of the Cuban economic model

Since February 2008, when Raúl Castro officially took office as President of Cuba, the process of reforms and changes, some more significant than others, has gathered pace and is starting to give the Cuban economy and society a new face. While administrative and institutional changes, such as the reorganization of State entities, improvements in the business sector and anti-corruption measures, in addition to some nascent changes designed to boost the agricultural sector, were launched as early as 2007, the reforms gained new momentum beginning in 2008 and became more pronounced after the adoption in April 2011 of the Guidelines of the Economic and Social Policy of the Party and Revolution, which is the road map for the modernization of the Cuban economic model.

More far-reaching and significant reforms, such as the new Tax System Act, were adopted and entered into force in 2013. That same year, non-agricultural cooperatives were approved and the new agricultural sector marketing policy was adopted. Mention should also be made of the announcement of monetary unification, which represents a first step towards exchange-rate unification. Moreover, in late 2013 the National Assembly approved the New Labour Code, which, among other things, aims to prevent the exploitation of the labour force and the violation of workers' rights. In September 2013, an important decree law was announced, establishing rules and regulations for the functioning of the Mariel special development zone, located some 50 km to the west of Havana, which is expected to attract major foreign direct investment flows.

[17] The document issued by the Cuban Government is available from http://www.cubavsbloqueo.cu/sites/default/files/INFORME%20BLOQUEO%202015%20Esp.pdf.

In April 2014, the new Foreign Investment Act was approved (replacing its 1995 predecessor) and the investment portfolio by sector was released. Important steps to strengthen the autonomy and competitiveness of State enterprises were also announced. At the same time, in order to attract foreign capital, the Government has been working since 2010 on a set of measures aimed at bolstering the country's external finances, in particular through the restructuring of its external debt. As a result, investment in Cuba has gradually increased. For the second half of 2016, commitments have been made for 47 investment projects, to be implemented both outside and inside the Mariel special development zone, with investment from countries including China, Canada, Australia, Mexico, Brazil and Viet Nam, as well as several European countries. A United States company, Starwood Hotels and Resorts Worldwide, has formed a partnership with Cuban companies Grupo Turismo Gaviota and Grupo Empresarial Hotelero Gran Caribe S.A. (the first of its kind since 1959) to manage and build hotels in Cuba. In 2014, Cuba announced an investment portfolio with specific projects in various sectors of the economy. The portfolio is updated annually and currently contains 326 projects (having started with 246), giving foreign investors a choice of sectors in which to invest, though investment is not limited to this portfolio alone. The new investment portfolio includes, for example, three more projects in health, tourism and transport (shipyards); construction and building materials; light industry and the steel industry; and the food and audiovisual sectors.

The implicit purpose of the economic transformation process in Cuba is to alleviate the external constraints on economic growth caused by structural economic problems and, inter alia, the economic, commercial and financial embargo imposed on the country for more than five decades. These restrictions worsened after the adverse external events that occurred mainly between 2008 and 2009. For example, in response to annual increases in the food import bill, major measures have been taken in the area of agriculture since 2007. These include the granting of land on a beneficial-use basis, facilities for the construction of housing on such land, the granting of larger areas of land and longer time periods to exploit them; the granting of loans, a preferential tax regime and the creation of a wholesale market for the purchase of inputs and machinery; the streamlining of the marketing of agricultural products in three provinces; and other similarly important changes to incentivize agricultural production and to spur its growth, in order to reduce the food bill.

Measures have also been taken to raise economic productivity, since low productivity has prevented an across-the-board increase in wages, which have been falling in real terms for several years now. The cut in the number of State-employed workers and authorization to engage in 201 own-account activities, to date, are intended primarily to increase that productivity. Although the reduction in the number of government jobs has slowed since March 2011, own-account activities have grown significantly. According to the latest data available, at the end of March 2016, 507,342 persons were own-account workers, a figure much higher than the 156,000 who were engaged in such work after that labour system was authorized in October 2010. This means that 28 per cent of workers in Cuba are in the non-State sector of the economy.

In the same vein, in 2013, the Government of Cuba undertook an experiment and allowed the establishment of non-agricultural cooperatives with credit facilities, three-month tax exemptions and the opportunity to take advantage of the (as yet) nascent wholesale market for the purchase of inputs and equipment.

Other reforms, such as the authorization to buy and sell automobiles and dwellings and the new Migration Act, responded to common appeals made by the population that were reflected in the Guidelines of the Economic and Social Policy of the Party and Revolution, adopted in April 2011 by the National Assembly. The sale and purchase of dwellings opened a window of opportunity for the repair of homes (for which there are low-interest loans and subsidies).

Although the gradual elimination of the dual currency system in Cuba is a theme of constant discussion, the timetable for its implementation has not been published (the Government's announcement of the start of the monetary unification process in October 2013 was short on detail). Bearing in mind how long the Cuban dual monetary and exchange system has been in place and the size of the gap, a very careful process will be required to unify the system. There is information regarding some trials in a group of companies working with different exchange rates, but there is no official report on their operation and results. In March 2014, official decisions were announced on pricing and accounting that will be implemented once the elimination of the dual currency system has been decreed. Methodologies to be followed by companies when setting wholesale and retail prices have also been established. Although precise dates indicating the pace of implementation have not been released, notice has been given that the monetary unification process will conclude next year and that it will not harm the economy of Cuban households.

In the implementation of different measures in the various areas of the economy, the preferred method is to start with small-scale experiments (or pilot projects) that respond pragmatically to specific circumstances. In addition, the main approach taken in modernizing the economic model, as repeatedly mentioned by President Raúl Castro, has been "sin prisa, pero sin pausa" (no rush, but no hesitation). In his speech on 24 February 2013, he said, "To those who, in or outside the country, with good or bad intentions, are spurring us to move faster, we say that we will carry on — no rush, but no hesitation — keeping our feet grounded and our ears to the ground, without subjecting the people to shock therapy and without leaving any citizen behind, overcoming the obstacles of paralysis and an obsolete mentality and untying the knots that stand in the way of our productive forces, that is, our economic progress, as the essential element that will cement, among other things, the social achievements of the Revolution in education, public health, culture and sports, which should be fundamental human rights, not private business."

On 20 December 2014, the President reiterated his point, "We are aware that opinions continue to be voiced in and outside the country, with good and not so good intentions, on the pace of the process to modernize our economic model. Nor has there been any shortage of open exhortations from abroad to hurry up with privatization [...]." In the same speech, the President noted, "The economic system that will prevail in our country will continue to be based on socialist ownership by the entire population of the fundamental means of production, governed by the socialist principle of 'from each according to his ability and to each according to his deeds'."

It should be noted that the impact of the progress made towards modernizing the economic model in Cuba has been diminished by the ongoing embargo, which makes it very hard (and often impossible) to carry out financial and bank transactions on the island, as mentioned in the previous section. Moreover, these

types of actions point up the extraterritorial nature of the embargo imposed on Cuba by the United States.

Cuba has made important changes since the Guidelines were adopted, but there are still enormous challenges on the near horizon. The process of eliminating the dual currency system will require subtle adjustments so as not to affect the balance sheets of Cuban companies and to meet the earnings expectations of investors interested in the island. Meanwhile, the embargo that the United States continues to impose on Cuba is a source of legal uncertainty for some foreign investors. Efforts are in full swing in Cuba to build institutional capacity for the purpose of improving business management. The island still needs a long-term productive transformation strategy given that the legacy of the embargo will persist for a long time to come in the country's productive structure. The statistical challenges involved in modernizing Cuba's socialist model are immense. However, Cuba is a country with a clear vision for the future, with a road map forged in intensive national consultation processes, as well as a stable environment and deep reserves of human talent for development.

## B. Summary of the outcomes of the VII Congress of the Communist Party of Cuba held in April 2016

The VII Congress of the Communist Party of Cuba was held from 16 to 19 April 2016 in Havana. It established the guiding principles for change over the next several years, as well as the ideological parameters of the reforms. Activities were organized around four commissions, which discussed the following topics: (a) the conceptualization of the social and economic model to which Cuba aspires; (b) the strategic sectors and pillars for the national social and economic development plan to 2030; (c) the status of the reform plan pursued in recent years (Guidelines of the Economic and Social Policy of the Party and Revolution); and (d) fulfilment of the objectives of the Communist Party set at its First National Conference in 2012.

During the Congress, it was announced that only 21 per cent of the Social and Economic Policy Guidelines for the Party and the Revolution, adopted at the VI Congress (April 2011), had been fully implemented, and 78 per cent were in various stages of implementation, which had entailed the adoption of 130 policies and the issuance of 344 new legal rules at various levels, as well as the amendment of 55 rules and the repeal of 684. As a result of the process to update the Guidelines for the period 2016-2021, 87.5 per cent of the guidelines adopted by the VI Congress are being retained, amended, or merged together, and the incorporation of 50 new guidelines brings the total to 274 guidelines, set out in 13 chapters for the period 2016-2021.

Regarding the pace of change, President Castro's remarks point to a continuation of gradual consensus-based reforms. The President made it clear that "[...] the pace will depend on the consensus that we are able to forge within our society and the organizational capacity that we achieve to make the necessary changes, without rushing and certainly without improvising, which would only

result in failure".[18] As for resistance to change, President Castro said, "The main obstacle that we have faced, just as we anticipated, is the burden of an obsolete mentality, which leads to an attitude of inaction or lack of confidence in the future."[19]

The documents that will be submitted for national consultation and subsequent adoption ("Conceptualization of the Social and Economic Model to which Cuba Aspires" and "The Strategic Sectors and Pillars for the National Social and Economic Development Plan to 2030")[20] give the reform process added scope. These projects represent a step forward from pragmatic economic reform based on experimentation to reform implemented through a development programme with strategic lines of activity, identifying the main sectors and objectives, while also establishing the theoretical foundation and essential features of the social and economic model that the country aspires to achieve as a result of modernizing the model itself.

Among the most important aspects addressed during the Congress, which reflect the ideology of change that can be expected for Cuba in the next few years, are the following: (a) "the introduction of rules of supply and demand is not contrary to the principle of planning. Both concepts can coexist and complement each other for the good of the country, as successfully demonstrated by the reform process in China and the renewal process in Viet Nam"; (b) "We reaffirm the socialist principle of the primacy of ownership by the entire population of the fundamental means of production, as well as the need to unburden the State of other activities that are not vital for the development of the nation"; (c) "Cooperatives, own-account work, and private micro, small and medium-sized enterprises are not, in essence, anti-socialist or counter-revolutionary, and the vast majority of those who work in them are revolutionaries and patriots who defend the principles and benefit from the achievements of this Revolution".[21]

Regarding political changes, amendments were proposed that would lower the cut-off age for admission to the Central Committee of the Communist Party of Cuba to 60 and the cut-off age for positions of leadership in the Party to 70. These amendments are in addition to the announcement by the VI Congress of the Party to limit political office to two consecutive five-year terms.

[18] Speech delivered by General Raúl Castro Ruz, First Secretary of the Central Committee of the Communist Party of Cuba and President of the Councils of State and Ministers at the closing session of the VII Congress of the Party, at the Palace of Conventions on 19 April 2016, Year 58 of the Revolution, *Granma*, 20 April 2016.

[19] Central Report at the VII Congress of the Communist Party of Cuba, presented by the First Secretary of the Central Committee, General Raúl Castro Ruz, in Havana, 16 April 2016, Year 58 of the Revolution, *Granma*, 17 April 2016.

[20] These documents were circulated nationally (both in hard copy and electronically through a mobile application) after the closing session of the VII Congress of the Communist Party of Cuba.

[21] Central Report at the VII Congress of the Communist Party of Cuba, presented by the First Secretary of the Central Committee, General Raúl Castro Ruz, in Havana, 16 April 2016, Year 58 of the Revolution, *Granma*, 17 April 2016.

## Food and Agriculture Organization of the United Nations

[Original: English]
[24 May 2016]

**Overall situation: effects of the embargo on the sectors of food security, as well as on agriculture, fisheries and the food industry**

The main changes since the previous reporting period can be summarized as follows:

(a) The cereal production of Cuba in 2015 is estimated at 748,000 tons (rice in milled equivalents), some 9 per cent below its level in 2014 and below the countries five-year average, as a result of severe drought during the season caused by the El Niño phenomenon;

(b) Paddy production in Cuba is estimated to have fallen to 460,000 tons (307,000 tons, milled basis) in 2015, its lowest since 2010, as shortages of water for irrigation limited plantings for a second successive season. Preliminary expectations for the 2016 season point to an only partial production recovery, given persistent water supply problems. Production of maize in 2015 is estimated at 441,000 tons, virtually unchanged from the previous season. Nonetheless, imported volumes of cereals have remained steady in recent years, around 2 million tons, and in 2015/16 they are expected to cover about two thirds of the country's domestic utilization.

The main effects of the embargo on agriculture, fisheries, livestock and the food industry should continue to be viewed from two different perspectives:

(a) The problem is brought about by the impossibility of taking full advantage of the export potential (for exports of coffee, honey, tobacco, live lobsters and aquaculture products) to the nearest market (the United States of America). This has implied major losses, since it has been necessary to sell to markets located farther away with the resultant higher marketing and distribution costs, negatively affecting the country's foreign exchange earnings and its capacity to purchase basic products, especially food;

(b) High costs for inputs needed for agricultural, fisheries and livestock production (fuel, spare parts for agricultural machinery, animal feeds, phyto- and zoosanitary products and fertilizers as well as top technological products such as herbicides, low toxicity insecticides, and other highly effective pesticides or veterinary pharmaceuticals, and disease diagnostic kits which in many cases are produced only by United States firms) decrease profitability and lower the country's ability to satisfy local food demand.

Overall, the embargo has very negative implications for Cuba's balance of trade and foreign exchange earnings, as well as for the country's supply of food and agriculture products. The embargo affects the import of food products for human consumption, particularly those destined to meet social programmes, as restrictions limit their quantity and quality, thus having a direct effect on the food security of the vulnerable segments of the population. The overall economic damage in the agricultural sector between June 2015 and May 2016 is estimated to be $183,517,429.

An additional problem resulting from the embargo relates to the difficulty experienced by Cuba in accessing external multilateral financing for development

programmes in agriculture and rural development in general, and the related unavailability of resources for rehabilitating and modernizing agricultural equipment and infrastructure.

Even the operations of the Food and Agriculture Organization of the United Nations (FAO) are directly affected, although FAO is officially exempted from the embargo. However, delays in or blocking of payments to FAO staff (even if made in euros) and providers for project procurement reduces the willingness of suppliers to sell to FAO-Cuba and increases the cost of procurement from the few remaining suppliers.

**Effects of the embargo on selected agricultural commodities**

*Cereals*

The economic damage to cereal production as result of the embargo is estimated at $2,447,830. Of this, $571,830 results from price differentials between the procurement of inputs in the United States and more distant and expensive markets. Of particular impact is the difficulty in obtaining quality seeds, which is also a result of the domination of the international seed market by a few multinational companies. The economic damage due to this factor is estimated at $1,057,125.

Preliminary forecasts of Cuba's cereal (milled rice equivalent) production in 2016 point to an output level of 751,000 tons, virtually unchanged from last year's result. Following two successive seasons of precipitation deficits, planting operations of 2016 dry-season crops in Cuba were once again constrained by insufficient supplies of water for irrigation. The unseasonably dry climate, often linked to the El Niño weather phenomenon, was compounded by protracted limits to the availability of basic inputs and equipment. When combined, these setbacks are forecast to keep paddy production in 2016 at a below-average level of 470,000 tons (314,000 tons, milled basis).

Despite ongoing Government efforts to liberalize and promote domestic production, Cuba remains highly dependent on rice imports to meet its consumption needs. Successive poor harvests since 2014 have amplified its reliance on foreign supplies. Rice imports are estimated to have reached a seven-year high of 550,000 tons in 2015, with a similar volume expected to be purchased in 2016. Viet Nam remains Cuba's main supplier of rice, thanks to a preferential Government-to-Government arrangement, which also allows for deferred payment of supplies purchased. Rice deliveries by the United States, which once provided up to 175,000 tons to the isle, came to a halt in 2008 owing to payment and financial restrictions imposed by the embargo. Although steps taken by the United States to normalize relations with Cuba since late 2014 have partly eased such restrictions, the United States rice industry maintains that its ability to resume trade with Cuba will continue to be hindered should the remaining restrictions stay in place, namely those prohibiting the use of credit facilities or funds from export promotion programmes to finance sales to Cuba. In the case of coarse grains, imports are projected to be on the order of 750,000 tons in 2015/16 (July/June); while wheat imports are expected to reach about 760,000 tons. Overall, cereal imports account for about two thirds of domestic utilization.

*Oilseeds*

Oilseed production in Cuba is not significant and, as a result, the country depends almost entirely on imports to meet its vegetable oil and meal needs. Commodities dominating imports are soybeans, soybean oil and soybean meal. When the United States embargo came into effect, Brazil and Argentina became the main suppliers of soybeans and derived products. Both Mexico and Canada have occasionally shipped small volumes to Cuba. Countries from which Cuba has imported non-soybean oilseed products include Argentina, Canada, China, Mexico and the European Union. Imports of soybeans and derived products from the United States resumed in 2002. In that year, following the implementation of the United States Trade Sanctions Reform and Export Enhancement Act of 2000, and as a result of geographic proximity, the United States became Cuba's principal supplier of soybeans, soy oil and soy meal — largely replacing deliveries from other regions. In the case of soy meal, the United States has retained that position until today; however, its sales of soybeans and soy oil have been progressively displaced by more competitive offers from Argentina and Brazil. With the normalization of relations between the United States and Cuba now underway, potential reforms could raise the competitiveness of United States soybean and soy-oil exports, which would widen Cuba's import options.

*Raw sugar*

According to the latest estimates by the Food and Agriculture Organization, sugar production in Cuba increased by 100,000 tons during crop year 2014/15, reaching 1.9 million tons, 5 per cent higher than the previous season. Better sugar recovery rates coupled with larger harvested areas account for the increase, following recent investments in mechanization of the sector. While consumption has remained substantially unchanged at 595,000 tons, growth of 15 per cent is estimated in sugar exports, with the main destination being China. Early estimates for 2015/16 indicate flat production, as the latest harvest was delayed by heavy rains at the beginning of the crop season. Over the years, the embargo has resulted in reduced availability of spare parts and agricultural inputs. The embargo, through the raw sugar tariff-rate quota, also prevents Cuba's access to the United States market, as well as to the Coffee, Sugar and Cocoa Exchange in New York.

*Meat*

National meat production has been growing slowly and stood at 313,000 tons in 2015. Pork is the most important category, followed by beef and then poultry. Cuba imported 263,000 tons of meat in 2015. The principal meat imported is poultry, followed by beef and pork. In 2015, 229,000 tons of poultry were imported, of which 46 per cent originated in the United States, while a further 44 per cent was supplied by Brazil. Brazil is the main source of imports of beef and pork, followed by the European Union. The impact on poultry production is estimated at $41.8 million. The economic damage to pork production is estimated at almost $8.2million as result of high import cost for animal feed and difficulties in accessing modern production technologies. The price differential for importing 194,504 tons of animal feed from more distant markets alone resulted in additional costs of $6,273,200, owing to lack of offers from United States markets and difficulties in accessing modern production technologies, manufacturing and distribution systems, veterinary pharmaceuticals and other inputs on pork

production. Despite the recent changes in government policy in favour of the development of national agriculture, productivity increases are hampered by restricted access to financial resources and technologies and limited infrastructure. Restrictions on the importation of technology and genetics mean that the least expensive or most convenient sources of supplies cannot necessarily be accessed.

*Dairy products*

Milk production in Cuba has not increased significantly since 2013 and is estimated at 615,000 tons for 2015. Imports account for approximately 80 per cent of domestic use. Milk powder is the principal item imported, with supplies coming mainly from Europe, Latin America and Oceania (New Zealand). The national dairy sector is one of the priority areas of the food policy of the Government of Cuba, which aims to become less dependent on imported food. Constraints on the sector's growth are the high cost of imported feed and limited availability of fuel for transport and distribution.

*Fish products*

Almost all of Cuba's fish exports consist of high-value products, notably frozen lobster and shrimp, which are in high demand on the international market. However, the embargo prevents access to the United States market, which is one of the most important markets and the leading world importer for fish and fish products. As a result, Cuba exports to more distant destinations, facing higher marketing and distribution costs. In addition, the economic crisis in some of the markets has had a negative impact on demand, resulting in a decline in exports. Export earnings amounted to an estimated $42 million in 2014 for a total volume of about 4,000 tons (product weight); this represents, in value terms, a decrease of 5 per cent compared to 2013 and of 53 per cent compared to 2004. Fish imports, consisting mainly of low-value fish products, slightly increased in 2014 as compared with 2013, reaching an estimated $30 million.

*Tobacco*

The impact of the embargo on the tobacco sector is estimated at $150.3 million in total owing to the potential loss of export income, higher transport and transaction costs and increasingly difficult competition in all markets. The exclusion of the United States market from the export of Cuban premium tobacco products alone is estimated to have produced damage in the amount of $8.8 million.

*Fruit*

The economic impact of the embargo is estimated at $1,500,270 owing to the price differences arising from the relocation of the import market.

*Honey*

The economic damage resulting from forgone income on potential sales to the United States market amounted to $13,487,129.

*Coffee*

The impact of the embargo in the coffee sector is estimated at $482,200 due to the lack of inputs to manage the plantations and to the differences in prices because of the relocation of the import market.

*Forestry*

The damage to the forestry sector is estimated at $13,300,000. In Cuba outdated American machinery is used for extracting wood from forests and processing it in sawmills. The lack of spare parts for this equipment causes stoppages and disruption of the production process.

**Technical assistance to Cuba by the Food and Agriculture Organization**

The Food and Agriculture Organization continues to provide support to Cuba, notably in promoting rural development and fisheries, with emphasis on food security. In addition, FAO has assisted Cuban institutions in organizing international congresses and events in the areas of sustainable agriculture, organic agriculture, animal production and health surveillance; cooperatives and family farming; fisheries and related policies; forestry and biodiversity; environment and climate change; and so on. FAO assists Cuban experts in providing help for South-South cooperation and in attending meetings on international conventions and agreements; travel logistics and flight bookings also are affected by the embargo.

In the context of South-South cooperation, FAO is supporting Cuban participation in a joint activity with the International Regional Organization for Plant and Animal Health (OIRSA) for the eradication of the classic swine pest in Cuba, the Dominican Republic and Haiti.

Technical support for the life-cycle management of pesticides continues to be provided to Cuba as part of the regional initiatives under the project funded by the European Commission to support capacity-building related to multilateral environmental agreements in African, Caribbean and Pacific countries, for the clean-up of obsolete pesticides, pesticide management and sustainable pest management. The project has supported the inventory of obsolete pesticides, strengthening pesticide registration and raising awareness of pesticide issues. Cuba participates in project workshops.

FAO provided technical support and assistance to develop tools for Cuba to establish a national information system mechanism for applying the new monitoring approach for the Global Plan of Action on Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture. The Cuban delegation participates routinely, through the FAO Commission on Genetic Resources for Food and Agriculture and its intergovernmental working group, in the development of the policy framework of the Second Global Plan of Action on Plant Genetic Resources for Food and Agriculture, indicators and targets for plant genetic resources and preparation of the Genebank Standards for Plant Genetic Resources for Food and Agriculture.

Advice is provided for agricultural sector policies, agro-environmental policies and rural youth employment policies as well as for the development of sustainable intensification programmes based on FAO pilot projects in the grain, milk and beef value chains. In addition, FAO is assisting Cuba in projects focusing

on rehabilitation and conservation of the environment, particularly in managed landscapes, and in building resilience to resist the risks associated with climate change.

**Effects of the embargo on projects implemented by the Food and Agriculture Organization in Cuba**

As a result of the embargo, projects implemented by FAO in Cuba are affected in terms of procurement procedures that complement the technical assistance provided by the organization, since resources that could be imported from the United States of America have to be imported from more distant markets at much higher prices and with additional freight costs. It would be cheaper to purchase the goods in the United States, which would in turn make more funds available for projects.

The embargo is still affecting the payments process and banking transactions to and from suppliers that provide services to cooperative projects and to the FAO country office. This is evidenced by bank transfer rejections on sales to Cuba; suppliers' inability to deliver products obtained from other United States companies; and the inability of suppliers to transfer funds to Cuba for payment of locally hired services. The difficulties in banking processes affecting FAO personnel remain high.

A summary of the causes for damage related to the embargo in some of the sectors where FAO is providing technical assistance and other sectors included in its country programme are mentioned below:

(a) Price differences owing to the relocation of the import market;

(b) Additional charges on freight insurance;

(c) Additional costs owing to a freeze on assets;

(d) Financial monetary damages;

(e) Economic losses owing to lack of access to North American high technology;

(f) Relocation of exports.

## International Atomic Energy Agency

[Original: English]
[30 May 2016]

The assistance activities undertaken by the International Atomic Energy Agency (IAEA) for all of its member States, including Cuba, are governed by article III/C of the IAEA statute, which reads as follows: "In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute."

However, the existing embargo poses certain difficulties with respect to the implementation of the Agency's Technical Cooperation Programme in Cuba. The procurement of essential equipment and material (such as radiopharmaceuticals) is quite often subject to cost increases and delays, as the number of vendors able to procure for and/or ship to Cuba is very limited. At the same time restrictions apply to the participation of Cuban nationals in IAEA-organized training activities or

meetings in the United States and vice versa. In accordance with the above-mentioned article of its statute, the Agency tries to overcome these difficulties to the extent possible by, for example, sending Cuban nationals to other countries for training in order to meet the requirements of the Programme.

## International Civil Aviation Organization

[Original: English]
[7 June 2016]

During the thirty-eighth session of the International Civil Aviation Organization (ICAO) Assembly, held in Montreal, Canada, from 24 September to 4 October 2013, the Economic Commission considered a working paper presented by Cuba that provided information concerning the impact of the economic, commercial and financial embargo, imposed by the United States, on the development of the Cuban civil aviation sector. Cuba expressed the view that unilateral actions were not conducive to the safe, orderly and sustainable development of international civil aviation. It called upon ICAO to address States' concerns with regard to extraterritorial and unilateral measures by certain States that impacted air transport services, and urged member States to refrain from using such measures known to hamper sustainable development of international civil aviation. The Commission took note of the information contained in the working paper and of the views expressed during the discussion. It recognized that this was a complex, delicate and sensitive issue which had been raised on previous occasions but one which the Economic Commission could not resolve. It therefore decided to bring this matter to the attention of the President of the ICAO Council, whose good offices had been involved in this issue in the past. The organization notes with interest the recent re-establishment of diplomatic relations between Cuba and the United States as well as progress made in establishing air services between the two countries. ICAO continues to monitor developments and, where possible and appropriate, work with the two countries to improve their civil aviation relations.

A mission to Cuba was undertaken in August 2015 to promote the organization's services and offer assistance to the Civil Aviation Authority, airports and air navigation authorities. The representative of Cuba to ICAO and a Cuban delegation met last year to follow up on the organization's offer of support, but no specific actions have been required yet by the Government of Cuba.

## International Civil Defence Organization

[Original: English]
[27 May 2016]

The International Civil Defence Organization (ICDO) is an intergovernmental organization whose objective is to assist countries, upon their request, in establishing and developing organizations for protection and rescue of the populations and property (article 2(a) of the ICDO Constitution), and to foster and ensure the exchange of information, experience, personnel and experts among the various countries in the field of protection and rescue of the populations and property (article 2(d) of the ICDO Constitution).

ICDO reaffirms its view that the United Nations is an appropriate forum in which to address questions related to the economic, commercial and financial embargo against Cuba. We therefore welcome the positive consideration of resolution 70/5, adopted by the General Assembly on 27 October 2015, on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Cuba became a full member of ICDO on 18 December 2014. Its needs are great in respect of all the four steps related to disaster management: prevention, preparedness, response and recovery. Thus, and in order to fulfil its obligations towards its member States, ICDO is in the process of providing technical assistance to various areas of civil defence in Cuba, through the transfer of equipment and technology and support for training courses in civil defence.

## International Fund for Agricultural Development

[Original: English]
[1 June 2016]

The International Fund for Agricultural Development (IFAD) maintains an open dialogue with the Government of Cuba, through its representatives in Italy, on all matters pertaining to rural development, agricultural production and food security in the country. Cuba also participates in the IFAD Governing Council as a member State, and the country has been reintegrated into the regular lending programme and programme of work of IFAD since September 2012. In addition, IFAD maintains an ongoing dialogue and cooperation with the Food and Agriculture Organization of the United Nations and other United Nations entities present in the country.

In September 2013 IFAD approved a project for Cuba on cooperative rural development in the eastern region, with IFAD financing in the amount of $10.7 million. The project is expected to benefit some 13,000 rural households living in 157 private cooperatives in the four provinces of Las Tunas, Holguín, Granma and Santiago de Cuba. The project was signed in November 2013 and entered into force in July 2014.

At present IFAD is designing a new cooperative development project for livestock in the east-central region (*Proyecto de desarrollo cooperativo ganadero en la región centro-oriental*), with possible IFAD financing in the amount of $11.9 million. The project will focus on milk and meat-producing cooperatives in the province of Camagüey.

## International Labour Organization

[Original: English]
[27 May 2016]

The International Labour Organization (ILO) recognizes the efforts of the President of the United States, Barack Obama, who has called upon the Congress of the United States to lift the blockade. The organization also notes with satisfaction that some progress has been made towards cooperation between Cuba and the United States in energy and health and in safety and health in agriculture, and that

some specific regulations have been reviewed so that they may be lifted, aspects that ILO deems important for contributing to decent work.

Nevertheless, ILO observes with concern that for the most part, the blockade remains in place. It has the effect of dissuading potential investors and affecting indirectly, and even directly, economic development perspectives and therefore job creation and decent work. A few of the elements of the blockade that remain in place are set out below:

- **Remittances**. Unnecessary restrictions on the transfer of remittances still impose a high indirect tax burden on salaries legitimately earned abroad and sent for household spending on such basic human needs as food, clothing, education, housing, water and sanitation.
- **Other financial transactions**. Limitations on other financial transactions, such as the opening of United States bank accounts by Cuban banks or access to credit for trade operations, still represent a serious bottleneck and an additional cost burden for business development and job creation, as decent work largely depends on productive investment and access to financing.
- **Company sanctions**. Currency restrictions and company sanctions limit investment and trade opportunities.
- **Technology transfer**. Limited access to technology transfer implies further difficulties for enterprise, social and economic development.

The direct and indirect effects of the blockade on the Cuban economy and people include not only enterprises in the country, but also, to an even greater extent, their workers and the population in general. ILO is particularly concerned about the impacts on children, workers and elderly persons. Ending the blockade would turn the overall loss of at least $1 billion into an opportunity for productive investment, employment generation and new job opportunities.

In February 2015, ILO undertook a mission to Cuba in order to confirm its commitment to providing technical assistance to the Labour Ministry, the Cuban Confederation of Workers, the National Employer's Organization and Azcuba on the following thematic areas (and others that might be agreed upon in the future):

- Rural employment/productivity improvements in the sugar industry
- Safety and health at work — prevention strategies
- Labour inspection
- Social security accounting models
- International labour standards
- Wage policies

Cuba is deputy member of the ILO Governing Body and actively participated in the 105th International Labour Conference (30 May to 10 June 2016) and other committees of the organization. ILO considers that the General Assembly is the appropriate forum for addressing questions related to ending the economic, commercial and financial blockade against Cuba.

## International Maritime Organization

[Original: English]
[1 June 2016]

As a member State of the International Maritime Organization (IMO), Cuba benefits from participation in the meetings of IMO bodies and is a recipient of assistance provided by available technical cooperation programmes, including IMO regional programmes to support maritime development in Latin America and the Caribbean as well as relevant global programmes.

IMO maintains collaborative relations with all Latin American member States, including Cuba. Since the early 1980s, IMO has collaborated closely with the Operative Network for Regional Cooperation among Maritime Authorities of the Americas, a Latin American maritime network comprising South America, Cuba, Mexico and Panama.

IMO assistance to Latin America is guided by the maritime strategies of the region, which are revised every five years, and the organization will continue to focus on supporting their implementation. Countries in the Network have addressed such issues as safety standards and training and marine environment protection through regional strategies, with numerous training activities organized in cooperation with IMO. In this context, and in accordance with the decentralization policies adopted by IMO, most IMO support is channelled through the Network on the basis of a memorandum of understanding signed with the secretariat of the Network. Through this instrument, the Network is assigned responsibility for the management and execution of regional technical cooperation activities identified by the respective countries, including Cuba, as priorities for building capacities for the effective implementation and enforcement of the IMO global maritime standards.

Cuba also receives technical assistance from the Regional Marine Pollution Emergency, Information and Training Centre in the wider Caribbean region, a regional activity centre based in Curação which aims to assist countries in the wider Caribbean region in preventing and responding to major pollution incidents in the marine environment.

IMO has not encountered difficulties in delivering any of the activities in the projects mentioned above as a result of the embargo imposed by the United States of America against Cuba.

## Inter-Parliamentary Union

[Original: English]
[2 June 2016]

The Inter-Parliamentary Union (IPU) welcomes the recent efforts by the United States of America and Cuba to normalize their diplomatic relations. The historic visit to Havana in March 2016 by the President of the United States, Barack Obama, accompanied by Democratic and Republican Members of the United States Congress in favour of lifting the embargo, sent a very strong message indeed. IPU is hopeful that such overtures will soon lead to the lifting of the embargo imposed on Cuba and thus alleviate the suffering of the Cuban people.

IPU would like to state its firm support for the lifting of the economic blockade against Cuba and to express its solidarity with the Cuban people who continue to suffer from its consequences.

## International Telecommunication Union

[Original: English]
[19 May 2016]

Since May 2013, the Administration of Cuba has not reported to the Radiocommunication Bureau of the International Telecommunication Union (ITU) any harmful interference with their broadcasting services.

During the period in question ITU received, in relation to resolution 70/5, the following correspondence from the Permanent Mission of Cuba to the United Nations Office at Geneva and other international organizations in Switzerland: notes 474, dated 3 July 2015; 493, dated 21 July 2015; 583, dated 18 September 2015; 668, dated 23 October 2015; 683, dated 28 October 2015; 693, dated 28 October 2015; 128, dated 11 March 2016; and 215, dated 8 April 2016.

## Office of the High Commissioner for Human Rights

[Original: English]
[1 June 2016]

Idriss Jazairy was appointed by the Human Rights Council in May 2015 as the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. That year he presented a report to the General Assembly and to the Human Rights Council.

In his first report to the Human Rights Council, dated 10 August 2015 (A/HRC/30/45), the Special Rapporteur provided definitions concerning unilateral coercive measures. In particular, he considered them as measures including, but not limited to, economic and political ones, imposed by States or groups of States to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights with a view to securing some specific change in its policy (ibid., para. 13). He stated that any unilateral coercive measures imposed on a country necessarily ran counter to some provisions of the International Bill of Human Rights or peremptory norms and other provisions of customary law and listed some of the rights affected by the measures (ibid., para. 18). The Special Rapporteur emphasized the need for remedies and redress to victims of unilateral coercive measures, noting that the most realistic form of redress would be an apology to innocent victims for the "collateral damage" to their human rights entitlements, together with a commitment to try harder, if not to end the measures, at least to continue seeking ways to reduce the unintended adverse human rights impact they had on the civilian population (ibid., para. 43).

Subsequently, on 1 October 2015, the Human Rights Council, by 33 votes in favour to 14 against, with 0 abstentions, adopted resolution 30/2 on human rights and unilateral coercive measures. In the resolution, the Council recognized that unilateral coercive measures in the form of economic sanctions had far-reaching implications for the human rights of the general population of targeted States, disproportionately affecting the poor and the most vulnerable classes. The Council

stated that it was deeply disturbed by the negative impact of unilateral coercive measures on the right to life, the rights to health and medical care, the right to freedom from hunger and the right to an adequate standard of living, food, education, work and housing, and expressed alarm at the negative effects of unilateral sanctions on the civilian population, in particular women and children. In addition, the Council reaffirmed that no State may use or encourage the use of any type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights.

In his first annual report to the General Assembly, dated 28 August 2015 (A/70/345), the Special Rapporteur reiterated the negative impact unilateral coercive measures have on human rights and highlighted the extraterritorial impact unilateral coercive measures have on third countries (ibid., para. 14). In respect of the latter, the Human Rights Council, in its resolution 30/2, strongly objected to the extraterritorial nature of unilateral coercive measures which threaten the sovereignty of States. The report analysed the negative impact, in particular, on the rights to life, self-determination, development and an adequate standard of living, including the right to food, housing, health and education. With regard to the right to development, the Special Rapporteur indicated that unilateral coercive measures of an economic character were selected to exact as much harm as possible by focusing on vulnerable sectors likely to have the greatest negative multiplier effect on the national economy. Recourse to such measures was therefore antithetic to upholding the right to development (ibid., para. 33).

The General Assembly, in its resolution 70/151 of 17 December 2015, expressed grave concern that unilateral coercive measures impeded the full realization of social and economic development and hindered the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities. In the same resolution, the Assembly requested the Special Rapporteur to present at its seventy-first session an interim report on its implementation and on the negative impact of unilateral coercive measures on the full enjoyment of human rights, and reiterated its request that he focus the report on the negative impact of unilateral coercive measures on the enjoyment of human rights of victims and address in the report the issues of remedies and redress with a view to promoting accountability and reparation.

Regarding Cuba, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, in reference to the report to the Human Rights Council of the Personal Representative of the High Commissioner for Human Rights (A/HRC/4/12), stated that the restrictions imposed by the embargo helped to deprive Cuba of vital access to medicines, new scientific and medical technology, food, chemical water treatment and electricity. He acknowledged that the leadership exercised by the President of the United States in that regard and in calling into question the unilateral coercive measures against Cuba set a favourable background for the work of the mandate and for the ultimate elimination of unilateral coercive measures as a poor proxy for negotiation in international relations (A/70/345, para. 82). The Special Rapporteur affirmed that only multilateral sanctions approved by the Security Council complied with the letter and spirit of the Charter of the United Nations, which is the bond between all States Members of the United Nations (A/HRC/30/45, para. 59). On 6 July 2015, the Special Rapporteur welcomed the re-establishment of formal diplomatic relations

between the United States and Cuba, and called for the United States embargo to be lifted.

The Special Rapporteur requested an official visit to Cuba and to the United States of America. As of May 2016, there had been no replies to these requests.

The Special Rapporteur will present his next report to the Human Rights Council in September 2016 and to the General Assembly in October 2016. He will address the issues of remedies and redress with a view to promoting accountability and reparations.

## Office of the Resident Coordinator of the United Nations system for operational activities for development, Cuba

[Original: English]
[20 June 2016]

Cuba is a high human development country. During the United Nations summit for the adoption of the post-2015 development agenda, President Raul Castro reported that Cuba had achieved the Millennium Development Goals. The main challenge is to maintain the quality of its social services and sustain the Goals already achieved. National authorities have also expressed their commitment to the 2030 Agenda for Sustainable Development.

The Government of Cuba is implementing a transformation process to update its economic model. The process focuses on national priorities, such as economic efficiency and productivity, a national food security strategy and import substitution policies. National authorities have stated their strong commitment to maintaining social development standards. Economic and social policy guidelines address the fundamental principles of the updating process. One of the guidelines calls for the promotion of multilateral collaboration, with particular reference to the entities of the United Nations system.

In that context, the United Nations system supports the efforts of national authorities to address emerging issues and development challenges.

The organizations of the United Nations system in Cuba welcome the restoration of diplomatic relations between Cuba and the United States of America, the steps taken towards normalizing relations and the measures introduced by the United States in 2015 and 2016. Both countries have expressed interest in cooperating in such areas as health, environmental issues and climate change, information and communications technologies and response to disasters.

However, the impact of the embargo on the social, economic and environmental dimensions of human development in Cuba remains, affecting the most vulnerable socioeconomic groups of the Cuban population in particular. In addition, the embargo hampers the updating of the Cuban economic and social model.

The United Nations country team in Cuba comprises the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund, the United Nations Children's Fund, the World Food Programme and the World Health Organization/Pan American Health Organization.

In addition, non-resident agencies, including the Economic Commission for Latin America and the Caribbean, the International Fund for Agricultural Development, the International Atomic Energy Agency, the International Labour Organization, the Office for the Coordination of Humanitarian Affairs, the Joint United Nations Programme on HIV/AIDS, the United Nations Environment Programme, the United Nations Human Settlements Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Industrial Development Organization, the United Nations Entity for Gender Equality and the Empowerment of Women, and the United Nations Volunteers programme have activities and initiatives in Cuba.

The United Nations Development Assistance Framework (2014-2018) supports sustainable development priorities, focusing on four strategic cooperation areas: population dynamics and social/cultural services; sustainable economic development, which includes value chains, local development and sustainable energy development; food security; and environmental sustainability and disaster risk management.

Each United Nations agency, fund and programme has contributed specific inputs to the present reply, setting out the most significant cross-cutting issues that are having a negative impact on the humanitarian and development cooperation of the United Nations system in Cuba. It was not possible to demonstrate any substantial improvements in 2015.

**Purchase of inputs at non-competitive prices and limitations on the import of goods, services and technologies patented in the United States**

Cuban national companies and foreign companies established in Cuba cannot purchase products, components or technologies from the United States territory even though the United States represents the closest, most competitive and most diversified market. Alternative markets that are adequate are more distant, resulting in higher importation costs and delays in delivery time. Goods, services or technologies produced by the United States, covered by United States patents or containing any component produced and/or patented by the United States are not available to Cuba. In addition, the embargo places restrictions on shipping line companies whose vessels dock in Cuban harbours. This situation significantly reduces the number of shipping companies that include Cuba in their routes, limiting the availability of transportation and delaying the loading of goods.

The offices of the United Nations system in the country can rarely benefit from global United Nations corporate contracts with United States companies for the purchase of equipment and services, such as computers, software licences and Internet services. Providers must therefore be exclusively identified for the offices, entailing higher prices and administrative costs.

Imports of development and humanitarian products, such as medicines, medical equipment, fertilizers, food supplements, laboratory equipment, agricultural implements, educational tools, computers, information and communications software, and construction materials are affected by the restrictions, even if they are purchased through multilateral cooperation.

Financial resources that could have been used to more effectively achieve the expected programme and development results are required to cover additional costs incurred due to the conditions caused by the embargo.

**Development credits granted by international financial institutions and financial services from United States banks**

The embargo has limited access by Cuba to development credits granted by international financial institutions such as the World Bank and the Inter-American Development Bank, which, in turn, has narrowed the possibility of obtaining resources to support the national and/or local development plans of Cuba financially.

United Nations offices in Cuba cannot make use of corporate accounts with United States banks or use the United States dollar as a currency of payment. The offices therefore have to take additional administrative measures to carry out programme-related financial operations, resulting in higher costs, the use of third country banks and a heavier administrative burden. The related incremented costs have been covered by the United Nations and project funds from donor countries.

The embargo has also affected the financial transactions, salaries and banking and insurance services of United Nations international and national staff.

**Missions to United Nations Headquarters and exchange of expertise**

Any mission to United Nations Headquarters in New York or Washington, D.C., by Cuban United Nations staff and Cuban experts or national authorities is complex and expensive. Owing to the lack of regular direct flights from Cuba to New York or Washington, D.C., longer and costlier alternative routes through third countries need to be booked and the planning of trips involving Cuban nationals requires extra time because of the visa process.

These conditions have a negative impact on professional exchanges and the building of partnerships in key areas of development.

## South Centre

[Original: English]
[21 May 2016]

On 27 October 2015, the General Assembly adopted, by 191 votes in favour to 2 against, resolution 70/5 on the necessity of ending the economic, commercial and financial embargo imposed against Cuba. The resolution, for the twenty-fourth consecutive year, reiterated and reflected previous resolutions, reports and declarations adopted by the United Nations and other intergovernmental forums and bodies rejecting the use of unilateral coercive measures such as trade sanctions in the form of embargoes and the interruption of financial and investment flows between sender and target countries[22] such as the United States embargo on Cuba. Such measures often have negative impacts on the enjoyment of human rights by the people of the countries concerned, particularly on the most vulnerable groups, including women, the elderly and children.

In the light of the concerns expressed above, the General Assembly, in paragraph 4 of resolution 70/5, requested the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a

[22] For a detailed explanation of human rights and unilateral coercive measures, see http://www.ohchr.org/EN/NewsEvents/Seminars/Pages/WorkshopCoerciveMeasures.aspx.

report on the implementation of the resolution in the light of the purposes and principles of the Charter and international law, and to submit it to the General Assembly at its seventy-first session. Over the years, the report of the Secretary-General has become an important vehicle for highlighting the adverse impact of the United States embargo on Cuba. The annual report provides a clear picture of the impact of unilateral coercive measures on the populations of targeted countries, especially the United States embargo in relation to Cuba, and the consequences for the Cuban people.

The present input by the South Centre is prepared in response to such a request as a contribution to the report of the Secretary-General, with respect to the imposition of unilateral economic, finance and trade measures by one State against another.

The South Centre is the intergovernmental organization of developing countries established in 1995 pursuant to the Agreement to establish the South Centre,[23] in accordance with the recommendations of the report entitled *The Challenge to the South: The Report of the South Commission*. The report was prepared by the South Commission, and its outcomes were considered by the General Assembly, which recognized the relevance of the report in its resolution 46/155. The South Centre, currently with 53 member States, including Cuba, supports developing countries in promoting and defending their common interests in the international arena. The South Centre undertakes policy research on the various international policy areas that are relevant to the promotion of the development needs of developing countries.

The General Assembly, in its resolution 70/5, reaffirmed the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, and reiterated its call upon all States to refrain from promulgating and applying such laws and measures as the embargo against Cuba, in conformity with their obligations under the Charter of the United Nations and international law. The General Assembly, for 20 years now, has repeatedly adopted resolutions with respect to the 1996 "Helms-Burton Act"[24] of the United States of America, the extraterritorial effects of which adversely impact Cuba's trade, not only with the United States but also with third countries. The Act is a continuation of the embargo imposed by the United States against Cuba for over five decades, which has been counterproductive and caused enormous social, economic and trade losses to the people of that country.

The change in United States policy towards Cuba announced in December 2014 and the re-establishment of diplomatic relations that became effective in July 2015 opened a new era in the relations between the two countries. Unfortunately, the embargo still remains in place and most transactions between the United States of America, or persons subject to United States jurisdiction, and Cuba continue to be prohibited, as recently reaffirmed by the Treasury of the United States.

[23] United Nations, *Treaty Series*, vol. 1885.

[24] For a detailed analysis of the laws relevant to the embargo, see Dianne E. Rennack and Mark P. Sullivan, Congressional Research Service, "Cuba sanctions: legislative restrictions limiting the normalization of relations" (5 June 2015). Available from https://www.fas.org/sgp/crs/row/R43888.pdf.

Despite the positive efforts undertaken by the current United States Administration during 2015 and 2016 to effect policy changes vis-à-vis relations between the United States of America and Cuba, the embargo continues to exist, as the lifting of the embargo would require Congressional action to repeal legislation relating to the embargo that has been in place since 1961.

Recent decisions by the United States Office of Foreign Assets Control (OFAC) highlight the extent to which the embargo remains in place against Cuba, with third countries, their companies and banks being subjected to the payment of huge fines because they have maintained trade and finance relations with Cuba. From 2009 to 2016, a total of 49 fines were imposed by the Office owing to violations of the embargo. Some of the most recent examples, as reported by the Government of Cuba in its press release of 9 May 2016, include the following:

- Penalization of the French company CGG Services SA in February 2016 for providing services and equipment of United States origin for oil and gas exploration in Cuba's territorial waters and for seismic research by a Cuban entity in Cuba's exclusive economic zone
- Imposition of penalties on two European banks for maintaining legitimate banking relations with Cuba and other countries: (a) Commerzbank of Germany, a penalty of $1.7 billion; and (b) Crédit Agricole of France, a penalty of $1.1 billion. As a result of the penalty, the German bank terminated its transactions with Cuban banks and the Embassy of Cuba in Berlin
- Rejection of a transfer from a Cuban nickel trading company by the Swiss Banque Cantonale de Geneve SA (BCGE)

The impacts of the embargo continue to be felt by the Cuban people. For example, an Amnesty International paper released in 2009[25] highlighted the negative impacts of the embargo against Cuba, particularly on vulnerable groups, and called upon the President of the United States to undertake a number of actions towards adopting a new approach towards Cuba.

The embargo also affects not only the Cuban people and Cuban commercial and financial transactions but also the South-South cooperation activities that Cuba has been undertaking for decades. For example, Cuba's emergency medical assistance response to the African countries affected by the Ebola crises in West Africa, recognized worldwide, is a great example of solidarity with the international community. Cuban assistance in addressing that health crisis would have been more extensive were it not for the embargo. The permanent lifting of the embargo would allow Cuba to cooperate more fully with other developing countries on health, environment and agriculture, among other issues.

Developing countries have continually stressed that the international law principles relating to the sovereign equality of States, non-intervention and non-interference in internal affairs and freedom of international trade and navigation are key principles that ensure the development and maintenance of a rules-based multilateral regime that is conducive to peace and development of developing countries. Developing countries have also been consistently united in calling for elimination of the application of unilateral coercive measures, including the

[25] Amnesty International, "The US embargo against Cuba — its impacts on economic and social rights" (London, 2009).

application of economic and trade measures by one State against another that affect the ability of the latter State to enjoy the benefits of unhampered international commerce and navigation and that also interfere in relations with third countries, impacting negatively on their trade, investment and cooperation activities. For example, in 2014 the Foreign Minister of Cuba presented his country's estimate that the accumulated economic damages of the blockade against Cuba imposed by the United States had amounted to $1.1 trillion.

The Ministers for Foreign Affairs of the States members of the Group of 77 and China, the largest group of developing countries, at their thirty-ninth annual meeting, held at United Nations Headquarters in New York on 24 September 2015, expressed their strong objections to such measures (see A/70/410, annex). In paragraph 106 of the declaration, the Ministers reaffirmed their firm rejection of the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions, against developing countries, and reiterated the urgent need to eliminate them immediately. They emphasized that such actions not only undermined the principles enshrined in the Charter of the United Nations and international law, but also severely threatened the freedom of trade and investment. The Ministers therefore called upon the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries. They also condemned the use of unilateral economic measures against the Islamic Republic of Iran, the Sudan, the Syrian Arab Republic, and the Bolivarian Republic of Venezuela, including the blockade imposed by Israel on the Gaza Strip, which affects the lives of millions of Palestinian people.

In paragraph 107 of the declaration, the Ministers expressed their strongest rejection of the implementation of unilateral coercive measures and reiterated their solidarity with Cuba. As they welcomed the re-establishment of diplomatic relations between Cuba and the United States of America, they reaffirmed their call upon the Government of the United States to put an end to the economic, commercial and financial blockade imposed on that sisterly nation for more than five decades. The Ministers encouraged the President of the United States of America to take all actions within his executive powers to substantially modify the application of the blockade against Cuba and the United States Congress to initiate, as soon as possible, a discussion on removing it.

Between June 2015 and April 2016, several United Nations conferences and other forums adopted outcomes that also rejected the use of unilateral coercive measures, including those relating to the United States embargo against Cuba. For example, in September 2015, world leaders adopted by consensus the 2030 Agenda for Sustainable Development (General Assembly resolution 70/1) entitled "Transforming our world: the 2030 Agenda for Sustainable Development", of which paragraph 30 reads as follows: "States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries."

Furthermore, undertaking a more comprehensive analysis of the impact on the enjoyment and achievement of human rights of all unilateral coercive measures being currently applied would be an important initiative. Such an analysis would be

particularly important in relation to assessing the impact of such measures on the human rights of people living in affected countries, particularly on women, the elderly and children, who are too often the main victims of such measures, as in the case of the prohibition of access to medicines and technology for the production of medicines in Cuba and in the Islamic Republic of Iran, the two countries most affected by the United States embargo. The United Nations would be best placed to make such an analysis and assessment on a more regular and substantial basis. In that regard, the recent appointment by the Human Rights Council, pursuant to Council resolution 27/21 of 26 September 2014, of a Special Rapporteur on the negative impacts of unilateral coercive measures on the enjoyment of human rights is an important achievement. In the same resolution, the Council decided to organize a biennial panel discussion on the issue of unilateral coercive measures and human rights.[26]

The re-establishment of diplomatic relations between the United States and Cuba under the leadership of President Barack Obama and President Raul Castro marked a positive historical turning point. This positive step should be followed up actively with a permanent lifting of the embargo.

The embargo on Cuba has had an adverse impact on the economic growth and development of Cuba and its population. It has also affected the full potential of Cuba to be an actor in international trade and development. There is great positive potential arising from improving Cuban ties with the United States of America and the rest of the world, and this potential can be unlocked by permanently ending the embargo against Cuba as soon as possible, consistent with the calls made by the General Assembly and all developing countries.

## United Nations Children's Fund

[Original: English]
[19 May 2016]

The United Nations Children's Fund (UNICEF) has been working with Cuba since 1962. The current country programme covers the period 2014-2018 and is fully aligned with the United Nations Development Assistance Framework for 2014-2018, the UNICEF Strategic Plan 2014-2017 and the national priorities of Cuba.

UNICEF supports the Government's efforts to maintain past achievements and improve service quality in three areas: (a) health and nutrition; (b) education; and (c) protection and participation. In this context, the embargo imposed by the United States of America against Cuba continues to affect the living conditions, education and development of Cuban children, adolescents and their families.

Despite the improved relations between the United States and Cuba and the lifting of a number of restrictions, many are still in place. The recent liftings will take time to come into effect. One such example is the latest measure allowing the use of the United States dollar for financial transactions related to Cuba. In practice, using the United States dollar is still not possible, which increases the cost of transactions.

[26] See Human Rights Council resolution 27/21 and Corr.1; and "Panel discussion on unilateral coercive measures and human rights (Geneva, 17 September 2015)". Available from http://www.ohchr.org/EN/NewsEvents/Seminars/Pages/WorkshopCoerciveMeasures.aspx.

Until the implementation of new regulations to ease the impact of the sanctions, the restrictions under the embargo will continue to increase the cost of supplies and basic social services, such as health care and education.

**Impact on health services**

In the health sector, medicine, reagents, spare parts for equipment used for diagnoses and treatment, and medical and surgical instruments are acquired in distant markets, often through intermediaries. This practice increases health sector costs, prevents access to the latest-generation inputs and technology and creates stock shortages.

As an example, the William Soler Hospital Paediatric Cardiology Centre was unable to access good quality biological material for heart implants from the United States (for example, biological heart valves). The Cardiology Centre had to use mechanical valves that need anti-coagulation drugs, which invoive greater risk and predispose patients to other more severe complications.

**Impact on education services**

The embargo has also had a negative impact on the quality of education. For example, it has increased the cost of necessary educational supplies such as English books, specialized literature, equipment and materials for physics, chemistry and biology laboratories, as well as computer parts and sports equipment. Those resources have to be purchased in distant markets,[27] which increases freight costs. The impact on children with disabilities is disproportionally greater owing to the cost of their specialized needs/materials.

Regarding technical professional education, the embargo hampers the purchase of raw materials, equipment and tools used for practical training.

**Impact of the embargo on the operations of UNICEF in Cuba**

The commercial restrictions mentioned above also apply to the supplies that UNICEF needs to import for children and implementing partners, causing an increase in prices and longer purchasing processes (up to 120 days). For instance, UNICEF needed to import foetal monitors from Germany.

Further, it was estimated that access to the United States market would also reduce freight-related and logistical expenses.

## United Nations Conference on Trade and Development

[Original: English]
[30 May 2016]

In the Doha Mandate (TD/500/Add.1), adopted in April 2012 at the thirteenth session of the United Nations Conference on Trade and Development (UNCTAD), UNCTAD indicates that

[27] Importing from neighbouring countries in Latin America and the Caribbean is also made difficult because any product that contains more than 10 per cent of materials from the United States is subject to the sanctions.

States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries, and that affect commercial interests. These actions hinder market access, investments and freedom of transit and the well-being of the populations of affected countries. Meaningful trade liberalization will also require addressing non-tariff measures including, inter alia, unilateral measures, where they may act as unnecessary trade barriers.

The 18 months prior to the preparation of the present report were marked by historic events in the relationship between the United States of America and Cuba, including the re-establishment of diplomatic relations, the visit of the President of the United States to Cuba and a significant easing of the embargo measures. It is anticipated that the improved diplomatic and commercial relationship could lead to a 2015 growth rate of 4.0 per cent,[28] up from 1.3 per cent in 2014.[29] For the moment, however, the essential elements of the embargo remain in place pending a decision by the United States Congress.

**Economic and trade trends in Cuba**

The Government of Cuba reports that the cumulative economic damage caused by the embargo up to mid-June 2015 has amounted to more than $121 billion (see A/70/120). The external trade balance damage caused by the embargo from mid-2014 to mid-2015 has been estimated at $3.9 billion. Of this, 70 per cent was a result of foregone revenues from the export of goods and services in the tourism, transportation and agricultural sectors (ibid.). The embargo impeded the transfer of technology, the mobilization of foreign capital and the normal development of all spheres of economic, social and cultural life. The health and food sectors were among those most directly impacted by the embargo, as higher than normal costs resulted from reliance on other markets for imports and the prohibition of the use of the United States dollar.

In respect of international trade, Cuba is a goods-importing and services-exporting country. As illustrated in the trade data for the years 2011 to 2015 (see annex), UNCTAD estimates that the country had a deficit of $10.7 billion in trade in goods and a surplus of $8.4 billion in trade in services in 2015. The country had surpluses in its total trade balance during the period 2011-2014, ranging from $418 million to $2.5 billion, but it recorded a deficit of $2.3 billion in 2015. Total values of exports of goods continuously declined from $5.8 to $4.2 billion during the five-year period. Main export items were ores and metal. The main destination of Cuban goods was the European Union. Total values of imports of goods ranged from $13 to $14.9 billion during the period. The main import items were manufactured goods and fuel, and the countries of Latin America and the Caribbean were the main source of imports. For trade in services, UNCTAD estimates that the total values of exports ranged from $10.6 to $13 billion, while those of imports increased from $2.1 to $2.5 billion during the period.

[28] Economist Intelligence Unit (EIU), "Country report Cuba", 6 April 2016.

[29] United Nations Conference on Trade and Development, UNCTAD STAT, "General profile: Cuba, 2014". Available from http://unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/192/index.html.

From a sectoral perspective, the key sectors generating foreign exchange include medical services, tourism, nickel mining, biotechnology and pharmaceuticals. International tourism has been particularly robust for several years, reflecting in particular the evolving improvement in relations with the United States. It rose by 9.3 per cent in 2014 and by 15.9 per cent in 2015, when over 3.5 million foreigners visited the country.[30] Canada remained the main source of tourists, followed by Germany and the United States. However, the United States market was the fastest growing: after the initial easing of embargo restrictions, 161,000 people arrived in 2015, a 76.6 per cent increase from 2014.[31] With regard to other sources of international income, remittances from relatives living abroad, especially in the United States, are an important source of hard currency and amount to $2 billion annually.[32] Cuba also receives from Venezuela generous oil subsidies in exchange for the services of Cuban doctors. However, this support has diminished since 2014, and Cuba remains vulnerable to the economic crisis in that country.[33]

Cuba can import agricultural products from the U.S. since 2001, though restrictions on U.S. export financing and credit kept suppressed the levels of U.S. exports. Some agricultural experts fear that U.S. agricultural exports to Cuba will be seriously hampered as long as these restrictions remain.[34]

**Developments in the United States**

During the 18 months prior to the preparation of the report, the United States took significant steps in moving towards normalization of relations with Cuba. The two countries re-established diplomatic relations and reopened embassies in their respective capitals in July 2015. The United States President made an official visit to Cuba for the first time in 88 years in March 2016. Significant measures were introduced to ease the embargo measures on travel, remittances, trade, and finances. Those measures are summarized below.[35]

**Travel and remittances.** Travel to Cuba by the general public solely for the purpose of tourism remains prohibited. However, United States citizens falling into 12 "special case" categories[36] are now authorized to visit Cuba without applying for permission. They can expend funds in Cuba without limitation, use United States credit and debit cards, and open bank accounts in Cuba in order to access funds for certain transactions. Also now allowed are unlimited remittances to Cuban nationals for donations, humanitarian projects and the promotion of civil society, as well as for certain activities related to private business.

[30] Economist Intelligence Unit (EIU), "Country report Cuba", 6 April 2016.

[31] "Cuba tourism grows 17.3 per cent in 2015", *Caribbean News Now!* (Dallas, Texas), 15 January 2016. Available from http://www.caribbeannewsnow.com/headline-Cuba-tourism-grows-17.3-percent-in-2015-28962.html.

[32] Mark P. Sullivan, Congressional Research Service, "Cuba: issues for the 114th Congress" (15 March 2016).

[33] Economist Intelligence Unit (EIU), "Country report Cuba", 6 April 2016.

[34] Ibid.

[35] For comprehensive information on the measures introduced see Resource Center: Cuba Sanctions, United States Department of the Treasury, "Fact sheets" (January and September 2015 and January and March 2016). Available from https://www.treasury.gov/resource-center/sanctions/Programs/pages/cuba.aspx.

[36] Ibid., January 2015.

**Trade.** Restrictions on transportation services have been eased in parallel. The United States and Cuba have signed a bilateral arrangement restoring scheduled air services.[37] The Government of the United States of America has also authorized entry into blocked space, code-sharing and leasing arrangements to facilitate the provision of air carrier services, and the passage to Cuba of ships carrying authorized cargo and visitors. Moreover, travel agents and air and vessel carriers can now provide services for travel to Cuba under a general licence.[38] Consequently, new United States businesses have been established in the areas of tourism, telecommunications and transport to connect the two countries.[39]

More generally, the range of goods and services that can be exported from the United States to Cuba has been expanded. Now included are certain building materials for private residential construction; goods for use by private sector Cuban entrepreneurs; agricultural equipment for small farmers; and telecommunications equipment and services. Persons subject to United States jurisdiction engaging in authorized activities in Cuba now are allowed to establish a physical presence such as an office, retail outlet or warehouse. They are also authorized to employ Cuban nationals and to open and maintain bank accounts in the country. An existing general licensing system was expanded to allow businesses to conduct market research, undertake marketing, sales or contract negotiations and engage in delivery, installation and leasing.

Similarly, some imports from Cuba to the United States have been exempted from the embargo. Certain goods produced by independent Cuban entrepreneurs can now be imported into the United States, and certain services can be supplied by independent Cuban entrepreneurs.[40] The status of independent Cuban entrepreneurs must be demonstrated by documentary evidence. Nevertheless, a great many goods remain prohibited for importation. Moreover, the requirement that authorized goods and services be produced by independent Cuban entrepreneurs is a serious constraint on exports owing to the pervasiveness of government-owned enterprises.

**Finances.** Although the embargo measures in finances are mostly intact, several significant measures have been introduced to facilitate financial transactions between the two countries. Restrictions were removed on payments and financing terms for authorized exports and re-exports, except for agricultural commodities and agricultural items, and United States depository institutions are now able to provide financing for such exports and re-exports. In March 2016, United States banking institutions were given the green light to open bank accounts in the United States for Cuban nationals in Cuba so they can receive payments for authorized transactions. United States banks also can process United States dollar monetary instruments presented indirectly by Cuban financial institutions, while correspondent accounts at third-country financial institutions used for such transactions may be denominated in United States dollars.

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[37] Scheduled service is expected to commence later in 2016.

[38] The first U.S. cruise ship in 50 years docked at Havana harbour on 2 May 2016.

[39] For additional information, see *Caribbean News Now!*, 20 and 22 April, 7, 9 and 25 May and 17 June 2015; and 21 and 22 March 2016.

[40] For the list of goods authorized for importation and the information on service imports, see the website of the United States Department of State, http://www.state.gov/e/eb/tfs/spi/cuba/515582/237471.htm.

## Conclusions

The measures introduced by the United States to ease the embargo on Cuba are substantial and were overdue. Cuba's projected 2015 economic growth and the nascent commercial relationships are suggestive of the likely mutual benefits that would ensue from a complete lifting of the embargo. President Obama publicly acknowledged that the long-standing policy of isolating Cuba had failed to achieve its objectives and called on the United States Congress to end the embargo entirely.[41] Ending the embargo would require amending or repealing several United States statutes.[42] It is hoped that the policy initiated by the Obama Administration will be advanced by the United States Congress, consistent with the resolutions adopted by the General Assembly for the past 24 consecutive years, the most recent of which is resolution 70/5 of 27 October 2015.

## Annex

Table 1
**Cuba: trade balance**
(Millions of United States dollars)

| | *2011* | *2012* | *2013* | *2014* | *2015* |
|---|---|---|---|---|---|
| Goods | -8 269 | -8 720 | -9 399 | -8 112 | -10 724 |
| Services | 8 687 | 10 354 | 10 721 | 10 589 | 8 426 |
| Balance | 418 | 1 634 | 1 322 | 2 477 | -2 298 |

*Source*: Calculations based on the figures in tables 2, 3 and 4 relating to trade in goods and services.

Table 2
**Cuba's Cuba: merchandise exports**
(Millions of United States dollars)

| *Partner* | *Commodity group* | *2011[a]* | *2012[a]* | *2013[a]* | *2014[a]* | *2015[a]* |
|---|---|---|---|---|---|---|
| European Union (EU 27) | All food items | 425 | 522 | 566 | 433 | 399 |
| | Ores and metal | 1 411 | 1 491 | 1 528 | 1 494 | 1 190 |
| | Fuels | 9 | 10 | 6 | 3 | 5 |
| | Manufactured goods | 55 | 56 | 71 | 64 | 51 |
| | **Total** | **1 899** | **2 078** | **2 172** | **1 995** | **1 664** |

[41] See https://www.whitehouse.gov/issues/foreign-policy/cuba.

[42] These statutes include the Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996, the Foreign Assistance Act of 1961, the Cuban Democracy Act of 1992, and the Trade Sanctions Reform and Export Enhancement Act of 2000. For additional information, see Mark P. Sullivan, Congressional Research Service, "Cuba: issues for the 114th Congress" (March 15, 2016).

| *Partner* | *Commodity group* | *2011[a]* | *2012[a]* | *2013[a]* | *2014[a]* | *2015[a]* |
|---|---|---|---|---|---|---|
| Latin America and Caribbean | All food items | 26 | 34 | 30 | 43 | 28 |
| | Ores and metal | 25 | 24 | 19 | 14 | 15 |
| | Fuels | 52 | 69 | 95 | 80 | 65 |
| | Manufactured goods | 496 | 585 | 531 | 522 | 431 |
| | **Total** | **599** | **712** | **677** | **659** | **539** |
| United States of America | All food items | 0 | 0 | 0 | 0 | 0 |
| | Ores and metal | 0 | 0 | 0 | 0 | 0 |
| | Fuels | 0 | 0 | 0 | 0 | 0 |
| | Manufactured goods | 0 | 0 | 0 | 0 | 0 |
| | **Total** | **0** | **0** | **0** | **0** | **0** |
| Rest of the world | All food items | 804 | 753 | 566 | 537 | 485 |
| | Ores and metal | 2 411 | 2 036 | 1 764 | 1 612 | 1 418 |
| | Fuels | 37 | 36 | 16 | 29 | 21 |
| | Manufactured goods | 38 | 46 | 60 | 63 | 45 |
| | **Total** | **3 291** | **2 871** | **2 406** | **2 241** | **1 970** |
| World | All food items | 1 256 | 1 309 | 1 162 | 1 013 | 913 |
| | Ores and metal | 3 846 | 3 550 | 3 310 | 3 120 | 2 623 |
| | Fuels | 99 | 115 | 118 | 112 | 91 |
| | Manufactured goods | 589 | 687 | 662 | 649 | 526 |
| | **Total** | **5 789** | **5 661** | **5 252** | **4 894** | **4 152** |

*Source*: UNCTAD secretariat, based on the United Nations Comtrade and International Monetary Fund — Direction of Trade Statistics (DOTS) databases.

*Note*: All food items (SITC 0 + 1 + 22 + 4); ores and metals (SITC 27 + 28 + 68); fuels (SITC 3); and manufactured goods (SITC 5 to 8 less 667 and 68).

[a] Estimates.

Table 3

**Cuba: merchandise imports**

(Millions of United States dollars)

| *Partner* | *Commodity group* | *2011[a]* | *2012[a]* | *2013[a]* | *2014[a]* | *2015[a]* |
|---|---|---|---|---|---|---|
| European Union (EU 27) | All food items | 584 | 564 | 580 | 588 | 615 |
| | Ores and metal | 48 | 45 | 36 | 29 | 39 |
| | Fuels | 97 | 80 | 66 | 49 | 69 |
| | Manufactured goods | 2 408 | 2 471 | 2 648 | 2 221 | 2 595 |
| | **Total** | **3 138** | **3 160** | **3 330** | **2 888** | **3 318** |

| *Partner* | *Commodity group* | *2011[a]* | *2012[a]* | *2013[a]* | *2014[a]* | *2015[a]* |
|---|---|---|---|---|---|---|
| Latin America and Caribbean | All food items | 701 | 732 | 775 | 758 | 804 |
| | Ores and metal | 18 | 40 | 34 | 23 | 34 |
| | Fuels | 5 133 | 5 177 | 5 202 | 4 870 | 5 403 |
| | Manufactured goods | 1 115 | 1 196 | 916 | 1 047 | 1 122 |
| | **Total** | **6 967** | **7 145** | **6 927** | **6 699** | **7 362** |
| United States of America | All food items | 442 | 565 | 296 | 235 | 385 |
| | Ores and metal | 0 | 0 | 0 | 0 | 0 |
| | Fuels | 0 | 0 | 0 | 0 | 0 |
| | Manufactured goods | 13 | 12 | 14 | 12 | 13 |
| | **Total** | **455** | **577** | **310** | **248** | **398** |
| Rest of the world | All food items | 240 | 226 | 389 | 358 | 346 |
| | Ores and metal | 77 | 77 | 57 | 46 | 63 |
| | Fuels | 55 | 57 | 51 | 46 | 54 |
| | Manufactured goods | 3 127 | 3 139 | 3 587 | 2 723 | 3 335 |
| | **Total** | **3 499** | **3 498** | **4 085** | **3 173** | **3 799** |
| World | All food items | 1 967 | 2 087 | 2 040 | 1 940 | 2 150 |
| | Ores and metal | 143 | 162 | 127 | 98 | 136 |
| | Fuels | 5 284 | 5 314 | 5 319 | 4 963 | 5 526 |
| | Manufactured goods | 6 664 | 6 818 | 7 165 | 6 003 | 7 065 |
| | **Total** | **14 058** | **14 381** | **14 651** | **13 006** | **14 876** |

*Source*: UNCTAD secretariat, based on the United Nations Comtrade and International Monetary Fund — Direction of Trade Statistics (DOTS) databases.

*Notes*: All food items (SITC 0 + 1 + 22 + 4); ores and metals (SITC 27 + 28 + 68); fuels (SITC 3); and manufactured goods (SITC 5 to 8 less 667 and 68).

[a] Estimates.

Table 4
**Cuba: service exports and imports**
(Millions of United States dollars)

| | | *2011[a]* | *2012[a]* | *2013[a]* | *2014[a]* | *2015[a]* |
|---|---|---|---|---|---|---|
| Exports | Total services | 11 149 | 12 760 | 13 027 | 12 663 | 10 551 |
| Imports | Total services | 2 462 | 2 406 | 2 306 | 2 074 | 2 125 |

*Source*: UNCTADstat.

[a] Estimates for each year.

## United Nations Development Programme

[Original: English]
[20 June 2016]

Cuba has maintained a high human development index ranking. During the United Nations summit for the adoption of the post-2015 development agenda in 2015, President Raul Castro reported that Cuba had achieved the Millennium Development Goals. The main challenge is to maintain the quality of social services and sustain the achievement of the Goals. The country is also committed to achieving the Sustainable Development Goals.

The Cuban development model is changing. The document entitled "Social and economic policy guidelines" was approved during the Sixth Communist Party Congress in April 2011. The Cuban Parliament also agreed to support the guidelines and approved the document during its regular session in August 2011. The guidelines were updated at the Seventh Communist Party Congress, celebrated in April 2016, and the document continues to provide guidance for ongoing reform. The Congress also approved the draft 2030 national plan for economic and social development: proposed vision of the nation, strategic pillars and sectors. The plan defines key strategic priorities that aim at the following: an effective and socialist Government and social integration; changes in the production sector and participation in international trade; infrastructure development; the development of human potential, science, technology and innovation; natural resources and the environment; and human development, equity and justice.

The guidelines are innovative within the national context and represent a challenge for the country. The main objective of the guidelines is to stimulate foreign investment and accelerate economic growth and competiveness, recognizing that the local level — mainly local governments — has an important role in the forthcoming decentralization framework. Cuba initiated in late 2013 a process of monetary unification which represents a key challenge for the country. This complex process is ongoing, and requires rigorous preparation in order to address possible impacts on the population. In that context, universal social services and social development remain a priority for the Government. The traditional social protection network is thus being adjusted to ensure sustainability and greater focus on the most vulnerable groups, such as the elderly.

Guideline No. 112 calls for the promotion of multilateral collaboration, with direct reference to the United Nations system. In that regard, the United Nations system supports national authorities in addressing emerging issues and challenges.

The United Nations Development Programme (UNDP) partnership with Cuban authorities is based on a long-standing relationship. UNDP has supported major local and national development strategies and policies for over 10 years. At present, cooperation is carried out within the United Nations Development Assistance Framework for 2014-2018 and the UNDP country programme document (2014-2018). The country programme document was approved by the Executive Board and is fully aligned with the UNDP Strategic Plan for 2014-2017. UNDP has been cooperating with national authorities in the following areas: promoting food security; using renewable energy; supporting national policy and productive sectors to reduce levels of imports; supporting local governments and their development strategies, particularly those related to value chains; introducing and applying

measures for adaptation to climate change, especially in food production; contributing to sustainable development by promoting (a) sustainable use of natural resources through knowledge and technology transfer to productive sector policies and (b) a more effective disaster risk reduction strategy; and supporting the national response to HIV/AIDS and non-discrimination based on sexual diversity. Gender and youth are cross-cutting themes.

UNDP supports priority areas of cooperation contributing to the implementation of the social and economic policy guidelines, in areas that are at times innovative within the national context and have a high strategic relevance in view of the changes to the Cuban development model. Fostering sustainable human development will continue to be at the heart of the cooperation programme, which promotes South-South cooperation, innovation and technology and knowledge transfer.

**Re-establishment of diplomatic relations between Cuba and the United States**

In December 2014 the Presidents of Cuba and the United States of America, Raul Castro and Barack Obama, announced the decision to initiate conversations, focusing on steps to be taken to officially re-establish diplomatic relations. After some rounds of negotiations, the embassies of Cuba and the United States were opened in Washington, D.C., and Havana, respectively, in the summer of 2015. A bilateral commission was established to help move towards the full normalization of diplomatic ties and has now celebrated its third round. The commission is responsible for addressing all pending issues and holds formal discussions in areas of common interest. Cuba sustains that no full normalization is possible until the embargo is lifted.

Some new measures have been approved by the United States authorities in this new context: Cuba is no longer part of the list of countries designated as State sponsors of terrorism by the United States; regular flights from the United States to Cuba have been authorized; Cuba was excluded from the list of countries with inadequate port security, facilitating naval traffic between the United States and Cuba; ferries will be able to make the trip from Florida to Havana; some cruise lines have received licences to travel to Cuba; and the restoration of the direct postal system between the two countries was approved. United States travellers to Cuba are restricted to 12 categories under a general licence and no longer require the approval of the Government of the United States; Cuban citizens that are residing in the United States on a temporary basis may earn a salary without having to go through the immigration process; and there is no limit on remittances sent by Cuban-Americans to family in Cuba. Export of items such as building materials, agricultural equipment and tools from the United States opened up to the Cuban private sector; credits for exports or re-exports to Cuba of approved products will be authorized (except for agricultural products, which by law are still subject to cash in advance); re-export from a third country of United States items is allowed (only for scientific, archaeological, cultural, ecological, educational, sports, research and historic preservation purposes and for professional meetings). In addition, the United States permitted the export of telecommunications equipment to Cuba for the establishment of telecommunications infrastructure connecting both countries, as well as within Cuba; Cuba's State-owned telephone company, ETECSA, signed a deal with New Jersey-based IDT Telecom, T-Mobile USA and Verizon to restore

direct telephone connections between the United States and Cuba; and the American credit card company MasterCard will begin processing transactions in Cuba.

**Specific effects of the United States embargo**

Despite the above-mentioned measures, the embargo remains in place, and its negative impact continues to be very similar to that of previous years, particularly in commerce and financial activities. The embargo affects the external economic relations of Cuba, and its impact can be observed in all spheres of the country's social and economic activities; the embargo maintains the restrictions on the use of the dollar and those relating to imports from Cuba. It affects opportunities for national and local development and creates economic hardship for the population. The embargo has an impact on the population's most vulnerable groups in particular, and on human development in general.

According to official estimates, the cumulative direct and indirect losses to the Cuban economy due to the embargo from the early 1960s until April 2015 amount to $121.2 billion.

The embargo has limited Cuba's access to development credits granted by international financial institutions such as the World Bank and the Inter-American Development Bank, which has narrowed the possibility of obtaining resources to provide financial support for Cuba's national and/or local development plans.

In the context of updating the Cuban economic model, the embargo also limits the participation of foreign investors — particularly United States companies — in prioritized economic projects, including the special development zone in Mariel. In that regard, the embargo negatively impacts investment flows and limits access to regional and global value chains.

The travel of Cuban experts and researchers to the United States in the framework of cooperation agreements has been limited by the process of obtaining visas.

The embargo has continued to negatively impact day-to-day work in external cooperation initiatives, creating many difficulties for the implementation of programmes and projects owing to real trade restrictions or prohibitions on purchasing inputs from United States companies and subsidiaries established in the United States or in other countries. It also reduces the number of possible suppliers and limits competitive process. To date there is no evidence that the measures adopted have changed the international context for commercial and financial relations with Cuba.

For example, in spite of the recent measures on port security, up to now the embargo places practical restrictions on shipping lines whose vessels dock in Cuban harbours. This significantly reduces the number of shipping companies that include Cuba in their routes, limiting the availability of transportation and delaying the loading of goods. Costs associated with intermediaries and long-distance transportation have had a negative impact on the ability to access key inputs and on the final cost of imported project goods and equipment. Likewise, products for development projects have to be purchased and imported from more distant places at much higher costs.

**Effects on projects**

This situation has had a direct impact on all UNDP development projects and emergency activities, both because it increases the transaction costs to obtain project inputs and because it increases the cost of transporting the imported goods. Finding alternative shipping companies requires additional time and effort. As a result, projects have been affected by significant delays in the purchase and distribution of project inputs, which has had a negative impact on the timely implementation of project activities and results.

This situation has been particularly worrisome in the case of projects related to food security and local development, given the lengthy process to access and import agricultural inputs such as irrigation systems, machinery and agricultural tools. In general, procurement processes take longer, delaying project activities and their results. As a consequence, financial proposals and new projects have to consider in their designs an extended period of time for procurement processes and they also have to allocate additional financial resources to cover incremental costs that could be allocated for development activities. Those costs are covered by the funds provided by international development partners, which are channelled through UNDP. This situation also affects computer technology acquisitions; for example, the United States company Planson did not obtain a licence from the Office of Foreign Assets Control for exports to Cuba.

The projects financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), of which UNDP is the principal recipient, provide medicines, reagents and laboratory equipment for the benefit of 20,019 people of all ages living with HIV/AIDS. They are purchased from third countries and from secondary suppliers at prices significantly higher than those of comparable products sold on the international market. Even when UNDP long-term corporate agreements with international suppliers apply to the project in Cuba, the embargo hinders purchases of products that are manufactured or have a component manufactured in the United States. In such cases, the providers have to obtain a licence from the Office of Foreign Assets Control to deliver services or products to projects in Cuba, a bureaucratic process that takes much time and effort. In 2015, the Global Fund approved the purchase of Raltegravir 400 milligrams, which is produced by Merck in the United States. The process to obtain the licence was conducted accordingly in order to obtain permission to buy the drug from a generic producer (Hetero Labs in India); however, the licence was not granted and the country could not acquire this third line drug owing to the high price offered by the direct manufacturer (Merck).

The Global Fund approved the purchase of GeneXpert IV equipment for a Cuban project on 21 May, 2013. This is high-tech equipment that the World Health Organization is promoting for the rapid diagnosis of tuberculosis and multi-drug-resistant tuberculosis. The equipment is especially necessary for people living with HIV/AIDS or people at risk of becoming sick with tuberculosis. Cepheid is the only supplier authorized by the Global Fund. However, the supplier could not sell the equipment until the licence was approved. Notification of the licence was obtained in April 2014, almost a year later, which delayed the benefit to patients in need of this important equipment. In 2015, reagents to keep the equipment working were needed, and they could only be acquired once the licence for reagents was granted.

**Effects of the embargo on country operations of the United Nations Development Programme**

The embargo also affects the day-to-day work of the UNDP office in Cuba, placing it at a disadvantage compared with other country offices. There are limitations to the benefits that can be gained from corporate long-term agreements to effectively implement and monitor development and emergency activities. For example, although there is a signed long-term agreement with Toyota Gibraltar, to date this company cannot supply spare parts of United States origin. This situation increases transaction costs by at least 15 per cent owing to the participation of intermediaries and higher costs for information and communications technology equipment and services as well as access to software licences. Access to Internet services is limited as a result of the embargo, thus restraining the effective use of corporate platforms and increasing the amount of time required to perform online processes and activities.

The UNDP Cuba office is also affected by not being able to use corporate accounts with United States banks or the United States dollar as a currency of payment. The office has to take additional administrative measures to carry out programme-related financial operations; for example, it has to use third-country banks, which results in higher costs to the office and its projects and a heavier administrative burden. The related increment costs have been covered by UNDP and project funds from donors, therefore using resources that could otherwise have been used for development activities.

Another way in which UNDP is affected by the embargo is that national staff required to travel to UNDP headquarters in New York have to request their visas well in advance, sometimes still not receiving them on time, although the situation has improved. Furthermore, longer, more expensive alternative air routes through third countries have had to be booked because there have been no regular direct flights from Havana to the United States. The negative impacts of higher costs and difficulties in obtaining a visa on time are also experienced by Cuban authorities and experts who have to travel to United Nations Headquarters and to other venues in the United States for meetings.

## United Nations Educational, Scientific and Cultural Organization

[Original: English]
[9 June 2016]

In response to the request for information on relevant developments since 2015 and how the embargo affects the ability of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to work with and for the Cuban people, UNESCO points out that it is not a funding agency, but rather a specialized technical agency within the United Nations system and that it is difficult, therefore, to quantify the impact of the embargo on programmes run by the organization within its fields of competence — education, the sciences, culture and communication and information. However, from the qualitative point of view, the embargo certainly continues to have an impact on UNESCO fields of competence.

The re-establishment of diplomatic relations between the United States of America and Cuba has had an impact on the demand for UNESCO actions in a variety of fields, in particular those related to cultural heritage, tourism and

intercultural dialogue for a culture of peace; the announcement by the President of the United States of the possibility of working with the United States Congress on lifting the embargo would entail an improvement in the present conditions.

In the area of education, the embargo continues to have an impact on the availability of educational resources, linked to trade restrictions that reduce purchasing options and prevent purchasing at more competitive prices. In the area of the sciences, the embargo continues to limit the ability to purchase up-to-date scientific materials. In the area of culture, the embargo continues to have an impact on the ability to obtain historic preservation materials and supplies for cultural industries, and on cooperation with foreign institutions that might otherwise collaborate. In the area of communication and information, in spite of announcements regarding cooperation in this field, Cuba remains unable to acquire underwater fibre-optic cables from United States firms, software licences and certain equipment. Communication costs remain high. Generally speaking, opportunities for implementing public-/private-funded activities with foreign companies are limited owing to the penalties imposed. Moreover, the availability of maritime transportation is limited, and delays often occur in the loading of goods. More possibilities for academic and cultural exchanges can be noted, but they continue to be limited by visa and bank transaction policies that make travel and study movements difficult.

The embargo has also had an impact on the operations of the UNESCO office in Havana, as well as on participation programme activities implemented by the Cuban National Commission for UNESCO, including the receipt of funds and bank transfers to service providers, resulting in additional costs for the organization for such items as air tickets and communications. Staff and their families are also affected personally, in the context of such activities as credit card use, bank transfers and international communications.

## United Nations Environment Programme

[Original: English]
[3 June 2016]

From the environmental point of view, the embargo imposed by the United States of America not only affects Cuba but also the Caribbean subregion and the United States itself.

Conservation efforts in the Caribbean Island Hotspot[43] are fragmented, incomplete and lack a necessary common strategy, since Cuba is excluded from several of the most important projects in the subregion owing to the fact that they are being implemented with United States funds. This not only prevents Cuba from benefiting from the projects but also affects the Caribbean subregion, since the subregion cannot be approached as a whole.

The embargo also significantly affects the conservation of biodiversity and ecosystems shared between Cuba and the United States.

[43] The Caribbean Hotspot consists mainly of three large groups: the Bahamas, the Lesser Antilles and the Greater Antilles (Puerto Rico, Jamaica, Cuba and Hispaniola, which includes the Dominican Republic and Haiti) with Cuba, Jamaica and Hispaniola constituting 90 per cent of the land area.

It eliminates the possibility of implementing common strategies for the integrated management of the environment and natural resources that surround these two countries, and important integrated progress cannot be made with the absence of agreements and dialogue between the two Governments on their shared environments.

Much of the work of the United Nations Environment Programme (UNEP) is also carried out through South-South cooperation that involves knowledge transfer, capacity-building and technical support between Cuba and other countries of the Latin American and Caribbean region, including training events, capacity-building activities and workshops. Therefore, the continuing embargo translates into missed opportunities for environmental cooperation in the region.

Working in Cuba means that there is often a need to search for alternatives in the use of technology, for example the geographic information system (GIS) software used for remotely sensed and spatial data gathering and processing, which is needed for certain activities and projects. Given the existing trade restrictions, common suppliers are unable to deliver products and services to Cuba, therefore the alternatives in terms of other capable software are limited.

In addition, Cuba has attempted to make its financial contribution to the UNEP Fund, but has been unable to owing to restrictions in access to United States banks. Different alternatives need to be sought for Cuba in order to transfer resources to UNEP.

Other examples of the impacts of the embargo are outlined below:

(a) Since United States companies are not allowed to sell equipment, technology, products and other products to Cuban companies, Cubans are forced to buy them in other markets, which increases cargo travel time to Cuba and consequently increases the level of carbon emissions associated with transport;

(b) Cuba continues to increase energy efficiency under its energy revolution programme, as well as promote recycling and other green technologies. The aim is to decrease oil consumption and carbon dioxide emissions and achieve general resource efficiency. However, United States companies or their subsidiaries in other countries are not allowed to sell such technologies to Cuba, which could benefit from such endeavours. The same is true for other products of non-American companies that contain parts or components provided by United States companies or subsidiaries that could assist in advancing such developments;

(c) Cuba will face difficulties in meeting the obligations derived from the Minamata Convention on Mercury as a consequence of limited access to mercury-free technology and the difficulty of phasing out mercury-containing products, such as dental amalgams, with uncontrolled mercury releases leading to regional and global effects;

(d) The participation of Cuban experts in environmental and sustainable development conferences and training activities is often hampered by travel restrictions, and thousands of dollars are spent for more expensive and often longer routes for travel;

(e) The embargo also restricts Cuba's access to information from leading scientific and technical journals and publications, as well as Internet access to specialized companies and institutions in the United States. This limits access by

Cuban academics, engineers and students to cutting-edge developments in energy and environmental sciences, which could increase their capacity to implement sound environmental technologies. Connectivity restrictions also limit Cuba's ability to implement and comply with certain environmental treaties that require the constant use of the Internet;

(f) Cuba also has limited bandwidth owing to the embargo. This affects the participation of Cubans in Internet-based conference sites and Webinar platforms, virtual meetings and training sessions, which are increasingly being implemented to decrease travel and other costs;

(g) The United States and Cuba are located in a region in which disasters, particularly hurricanes, are seriously affecting ecosystems and populations. Both countries are working to attain higher levels of prevention of and preparation for disasters. In this sense, cooperation would benefit both countries, as well as other countries of the wider Caribbean area;

Especially at this point in time, when Member States around the world have recently adopted important global agreements, the Paris Agreement on climate change and the 2030 Agenda for Sustainable Development, it is imperative to facilitate cooperation among countries and remove barriers. The elimination of the obstacles that limit normal exchange between the two countries would contribute to advancement in sustainable management of shared ecosystems, cooperation between scientific and academic communities and the increased contribution of both countries to combating climate change, managing ecosystems and preventing natural disasters and accidents. It would also benefit other countries where the United States and Cuba have cooperative programmes.

## United Nations High Commissioner for Refugees

[Original: English]
[8 June 2016]

Cuba is not a signatory to the 1951 Convention relating to the Status of Refugees nor to its 1967 Protocol. Nevertheless, thousands of refugees have found protection in Cuba over the years, and the Office of the United Nations High Commissioner for Refugees (UNHCR) has supported the Government with protection matters for more than two decades.

Thus far, Cuba has maintained its de facto policy of non-refoulement for all refugees recognized under the UNHCR mandate. The number of persons seeking asylum in Cuba increased in 2015. Until then, an average of 25 persons per year requested refugee status under the UNHCR mandate in Cuba. However, the figure increased to 129 in 2015, representing a more than fivefold increase. To date, in 2016, the number of persons seeking asylum continues at a pace comparable to that of the same period in 2015.

Asylum applicants who arrive in Cuba are allowed to remain in the country temporarily while UNHCR conducts refugee status determination and, upon recognition of status under the Office's mandate, identifies durable solutions for them, mainly through resettlement.

Recognized refugees in Cuba are granted access to the Government's free health care and education systems, with similar treatment as nationals. Some refugees have also benefited from the country's university scholarship programme.

To date, Cuba does not have a local integration policy for refugees. However, in recent years, a limited number of refugees were granted permanent resident permits on the basis of the current national legislation. Those persons were given a legal status that grants them rights and opportunities similar to those of nationals.

These actions reflect Cuba's commitment to upholding international and regional protection standards, in line with its commitment to the Brazil declaration and 10-year plan of action, which it signed in 2014 along with 27 other countries and three territories in Latin America and the Caribbean.

If the embargo is abolished and normalization of bilateral relations ensues, more favourable conditions may likely be created for persons of concern to UNHCR in Cuba. Further opportunities for the local integration of refugees could be explored, and improved international cooperation could lead to Cuba's accession to the international refugee and statelessness instruments as well as to the adoption of more favourable protection measures for persons of concern to UNHCR.

## United Nations Human Settlements Programme

[Original: English]
[2 June 2016]

The United Nations Human Settlements Programme (UN-Habitat) has been working in Cuba since 2001 and opened an office there in 2005. The main purpose of its presence in the country is to support the Government of Cuba in implementing its development agenda, hand in hand with the priorities and mandates of UN-Habitat, in the area of housing and human settlements.

Over the 11-year period, UN-Habitat has supported the country in the implementation of several projects through the United Nations Development Assistance Framework and with the United Nations Development Programme. Projects include those related to urban planning and management at the national and municipal levels, housing and urban recuperation following hurricanes, and support for change in the housing and habitat sector.

The implementation of the projects is development-oriented. As such, their execution has been severely limited as a result of the political, economic and commercial blockade imposed on Cuba. The blockade restricts access to the international markets so critical to access to supplies, equipment, technologies and infrastructure for urban housing development, which would improve the quality of life of the population.

Today, with the new phase of Cuba-United States relations and the various measures that have been adopted and implemented by both countries, UN-Habitat has seen an opening of the economic, investment, trade and cultural arenas. This has highlighted the need to end the economic and commercial blockade, which continues to negatively affect the progress being made.

From the perspective of UN-Habitat, the implementation of resolution 70/5 will enable Cuba to contribute decisively to its implementation of the Sustainable

Development Goals, developing the 2030 Agenda and implementing a new national urban agenda that focuses particularly on Sustainable Development Goal 11: "Make cities and human settlements inclusive, safe, resilient and sustainable".

## United Nations Industrial Development Organization

[Original: English]
[4 May 2016]

Currently, the United Nations Industrial Development Organization (UNIDO) is supporting the efforts of the Cuban Government to promote foreign direct investment and create strategic alliances conducive to strengthening the country's industrial capabilities and competitiveness in priority industrial sectors through the implementation of a country programme. The formulation of a country programme was requested by the Cuban Government in November 2014. It was subsequently developed in close cooperation with the relevant national counterparts, in line with the economic and industrial transformation policies established by the Cuban Government and with the United Nations Development Assistance Framework for 2014-2018.

The country programme focuses on three main objectives: (a) improvement of the business environment and sustainability; (b) improvement of industrial competiveness; and (c) attraction of foreign investment. To formulate a comprehensive programme that would achieve those objectives, UNIDO organized a technical mission to Cuba in July 2015 under the overall coordination of the Division for Latin America and the Caribbean. The team included experts from a variety of technical departments as well as staff from the UNIDO field office in Mexico and the UNIDO Investment and Technology Promotion Office in Korea.

The formulation stage of the country programme was successfully completed, and on 4 December 2015 the Minister of Industry of Cuba, Salvador Pardo Cruz, and the Director General of UNIDO signed the country programme document during the sixteenth session of the General Conference. The country programme includes various projects in sectors strategic for Cuba's economic and social development, such as industrial policy, the use of renewable energies, the fresh food industry and integrated management of hydraulic resources.

An overall budget of 50 million euros has been tentatively proposed for the implementation of the programme. A total of 24 million euros are already under advance negotiation by favourable donors such as the Republic of Korea, the Russian Federation, the European Union and the Global Environment Facility.

Despite some constraints in funds mobilization and partnership caused by the economic, commercial and financial embargo against Cuba, on the occasion of the international fair for Cuban industry, CubaIndustria 2016, held in Havana from 20 to 24 June 2016, UNIDO succeeded in ensuring the launch of the three most advanced projects within the country programme, namely:

(a) Enhancing industrial strategy through policy formulation and implementation;

(b) Technological and enterprise upgrading programme focused on agrochemical and agricultural machinery production sectors;

(c) Strengthening the creative industry as a mechanism for economic diversification in Cuba.

## United Nations Office for Disaster Risk Reduction

[Original: English]
[27 May 2016]

The Government of Cuba is actively engaged in the field of disaster risk reduction, both at the international level, through contributing constructively in the ongoing process to develop indicators and terminology to measure the seven global targets of the Sendai Framework for Disaster Risk Reduction 2015-2030, and at the national level through comprehensive and distinctive advances to protect its people against natural hazards. Cuba has participated constructively in relevant knowledge-sharing processes, particularly the Regional Platform for Disaster Risk Reduction in the Americas and in subregional projects in the Caribbean that aim to disseminate good practices in disaster risk reduction and recovery.

Disaster risk reduction is central to the sustainability of development. While acknowledging Cuba's considerable progress in managing disaster risk, the implementation of the Sendai Framework — which aims to guide the multi-hazard management of disaster risk in development at all levels as well as within and across all sectors — will require structural and non-structural measures to prevent and reduce hazard exposure and vulnerability to disaster, increase preparedness for response and recovery and strengthen resilience. Such measures are essential in order to enhance the economic, social, health and cultural resilience of persons, communities, countries and their assets and their environment. The adoption of such measures is conditioned by Cuba's ability to access key information, knowledge, technology and assets, including resources from donors and international finance institutions, current scientific and technical advances, disaster risk modelling and information technology — elements that are of importance for building capacities.

## United Nations Office on Drugs and Crime

[Original: English]
[4 May 2016]

The United Nations Office on Drugs and Crime (UNODC) notes that the Caribbean region continues to be increasingly confronted with a number of serious challenges related to the trafficking of illicit drugs. Cuba and other Caribbean countries are affected by cocaine production in Latin America. UNODC is strengthening its presence in the Caribbean to support member States in their efforts to counter those challenges, and expects to strengthen its cooperation with Cuba in the context of initiatives for the region, including new initiatives to enhance border controls.

In this regard, it is worth highlighting the participation of Cuba, for the first time, at the Summit of the Americas, held in Panama City in April 2015. The Summit gathered all Heads of State from the Americas, who addressed common issues such as regional integration, economic development and the fight against organized crime as well as drug trafficking. Furthermore, on the margins of the event, President Raul Castro of Cuba and President Barack Obama of the United

States of America held a bilateral meeting that prepared the way for subsequent discussions on the possibility of ending the embargo against Cuba and on the proposed visit of President Obama to Cuba in early 2016.

Cuba is covered by the UNODC Regional Office for Central America and the Caribbean in Panama, which initiated its activities in September 2009. In April 2014, UNODC launched a regional programme for 2014-2016 in support of the crime and security strategy of the Caribbean Community, with a total budget of $11.7 million. Although Cuba is not a member of CARICOM, it benefits from the regional programme, in particular through synergies with the Caribbean Forum of African, Caribbean and Pacific States, of which Cuba is a member. The programme comprises five subprogrammes, which directly target the strategic goals of the CARICOM crime and security strategy: (a) countering transnational organized crime, illicit trafficking and terrorism; (b) countering corruption and money laundering; (c) preventing crime and reforming criminal justice; (d) drug use, prevention and treatment and HIV/AIDS; and (e) research, trend analysis and forensics.

In the context of the regional programme, UNODC has recently re-established a presence in the Caribbean, namely in Barbados, in August 2015. That office will also benefit Cuba in the context of the renewed presence of UNODC in the region, in close coordination with regional and national counterparts.

Cuba has effectively cooperated with UNODC in the areas of its mandates and that contribution has always been positively assessed by both parties. Cuba is a State party to the United Nations Convention against Corruption and has participated in an active and efficient manner in its review process. Cuba has been the reviewer of Nicaragua, Guyana and Saint Lucia, and used its right to request the publication of its final country report on the homepage of UNODC.

Following Cuba's expression of interest in joining the Global Container Control Programme of UNODC and the World Customs Organization, an initial mission was expected to take place during the first week of June 2016, with a view to conducting an assessment of key ports in the country, establishing communication channels and discussing details relating to the inclusion of Cuba in the Programme.

For UNODC it is essential to continue to promote resource mobilization in order to strengthen the implementation of UNODC activities in Cuba. An end to the embargo would undoubtedly facilitate the future operational engagement of UNODC in the country, in close partnership with the Cuban authorities.

## United Nations Population Fund

[Original: English]
[2 June 2016]

The economic, commercial and financial embargo against Cuba was established in 1962. Annually since 1991, the General Assembly has adopted resolutions on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, reiterating its call upon all States to refrain from promulgating and applying laws and measures of this nature.

Despite the recent restoration of diplomatic relations between the United States and Cuba and the recent visit to Cuba by the President of United States, as well as other important steps towards the normalization of relations, such as the lifting of restrictions on travel to Cuba, telecommunications and remittances, the main measures of the economic, commercial, and financial embargo imposed by the United States of America against Cuba have remained invariable.

The severe economic and financial restrictions imposed on Cuba by the embargo have led to continuous shortages that affect the Cuban people, particularly the most vulnerable population groups.

The United Nations Population Fund (UNFPA) is one of the few cooperation partners working in support of sexual and reproductive health, population and development, and gender equality issues in Cuba. Owing to the embargo, UNFPA programmes continue to face various challenges, particularly in relation to the acquisition and purchasing of commodities, equipment, medicines and laboratory materials produced in the United States and/or covered by United States patents. Purchasing alternative sexual and reproductive health commodities and other products from more distant markets generally implies increased acquisition, transportation, insurance and handling charges. The lifting of the embargo will positively impact cooperation between the Government of Cuba and UNFPA, especially in respect of the sexual and reproductive health programmes.

UNFPA will continue to support the efforts of the Cuban Government to further promote sexual and reproductive health, including maternal health and access to family planning methods, sexuality education, youth development, women's empowerment and gender equality, and to identify appropriate and rights-based policy responses to the intricate linkages between population dynamics and sustainable development in Cuba.

## Universal Postal Union

[Original: English]
[11 April 2016]

As a specialized agency of the United Nations, the Universal Postal Union (UPU) is not directly involved in implementing resolution 70/5, which affects only Member States.

UPU has always regarded Cuba as a fully fledged member of the organization. As such, Cuba enjoys the same rights and obligations as other UPU members. Cuba continues to serve as a member of the Postal Operations Council of UPU after its re-election at the most recent UPU Congress, held in 2012. In addition, Cuba serves on a number of the Council's committees and working groups.

## World Food Programme

[Original: English]
[2 June 2016]

Over the past 50 years, Cuba's comprehensive social protection programmes have largely eradicated hunger and poverty. Cuba was one of the most successful

countries in achieving the Millennium Development Goals and is ranked sixty-seventh on the UNDP Human Development Index.

In the 1990s, Cuba faced a severe economic crisis which had an enduring impact on food security and nutrition. The 2008 global financial crisis, frequent natural disasters, including drought spells currently affecting the country, high global food prices, limited access to credit, low productivity and the United States embargo have further exacerbated the food security situation in the country.

In 2011, the Government of Cuba launched a process to improve economic efficiency, reduce costs and increase sustainability of social protection programmes. The efforts are guided by the Government's commitment to ensure that no Cuban is left unprotected. Under the initiative, food security was identified as a national priority with an emphasis on food-related social protection systems, decentralization of the decision-making process regarding food resources, adoption of a new management model for agriculture, reinforcement of value chains and reduction of food imports.

The World Food Programme (WFP) has been working in Cuba since 1963 to support the Government's efforts to promote food security and nutrition. In 2015, the agency launched its first four-year country programme for Cuba to support those efforts.

WFP works in the five eastern provinces (Granma, Guantanamo, Holguin, Las Tunas and Santiago de Cuba), which have the lowest development rates and are prone to drought, torrential rains and occasional earthquakes. In addition, WFP works in the provinces of Pinar del Rio and Matanzas in western Cuba, which are exposed to tropical cyclones, with severe impacts on food security and nutrition. WFP activities are aligned with the United Nations Development Assistance Framework (UNDAF) for Cuba 2014-2018, which defines food and nutritional security as one of the four pillars of United Nations cooperation in Cuba. The country programme focuses on capacity-building and augmentation, using focused transfers to meet critical food and nutrition needs and to strengthen the overall food-related safety nets in Cuba. The programme supports national and local authorities in shifting to more sustainable and targeted social protection systems. This is achieved through three linked objectives:

(a) Support food security and nutrition-related social protection programmes;

(b) Strengthen links between social protection systems and agricultural value chains;

(c) Strengthen community resilience, preparedness, disaster risk management and climate change adaptation capacities at the local level.

**Effects of the United States embargo**

The improvement in relations between the United States and Cuba is highly welcomed, but their full normalization hinges on the lifting of the embargo. Throughout 2015, the United States embargo continued to have a negative impact on the Cuban economy as well as on the operational conditions of WFP. The high cost of importing agricultural equipment or inputs is a limiting factor for agricultural productivity in Cuba, and has an impact on the country's ability to

produce all its food requirements. As a result, the Government needs to import a significant proportion of food commodities to meet the requirement of its national food-based social safety net programmes. This represents a significant budgetary burden for the country, threatens those most dependent on social safety nets and imposes challenges to food security in Cuba.

The ability of WFP to procure services and products from United States-based companies or companies that process payments through United States subsidiaries is also affected by the embargo, reflecting directly on projects as well as on the ongoing operation of the WFP office. Procurement and shipment of food and non-food commodities are also delayed owing to the above-mentioned logistics challenges. As a result of the embargo, vessels are obliged to make a stopover in a neighbouring country for transhipment, causing delays and incurring additional costs that also affect WFP shipments.

The ongoing work of WFP in Cuba is also affected by difficulties in purchasing equipment at competitive prices. This relates to the purchase of information technology equipment, given that companies from the region are unable to supply Cuba, as well as to the purchase of spare parts for cars and office stationery, increasing regular WFP costs. Moreover, voice and data communications are extremely expensive since they have to bypass the United States telecommunications infrastructure.

Banking transactions are also restricted by the limitations that the embargo imposes on financial institutions dealing with Cuba. This can affect both the payment of staff entitlements and their personal financial activities. Country office payments, though processed through UNDP, are also vulnerable to such limitations.

## World Health Organization/Pan American Health Organization

[Original: English]
[23 June 2016]

The present report was prepared by the World Health Organization/Pan American Health Organization (WHO/PAHO) in Cuba in response to resolution 70/5 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. The report points to some of the most pressing issues regarding the embargo's impact on public health and on the technical cooperation programmes of WHO/PAHO — the specialized health agency of the United Nations — in the country.

Following the announcement on 17 December 2014 by Presidents Raúl Castro and Barack Obama embarking upon a new chapter in relations between the United States of America and Cuba, formal diplomatic relations were established with the official opening of the respective embassies. Secretary of State John Kerry visited Cuba for the opening of the United States Embassy in Havana, where he announced the first official visit of a United States President to Cuba since 1928. The event took place from 20 to 22 March 2016, consolidating the start of a new era of collaboration, including major opportunities for the health sector, in particular for innovative developments in the Cuban biotechnological industry (for example, a lung cancer vaccine; foot treatments for diabetics); the control of non-communicable and communicable diseases; and high-level scientific exchange between academic institutions of both countries. Following President Obama's visit,

the first official mission of senior authorities from the Cuban Ministry of Public Health and other Cuban health institutions to the United States was organized in order to share experiences and follow up on cooperation with the United States Department of Health and Human Services, the National Institutes of Health, and the Centers for Disease Control and Prevention.

Despite such promising prospects for the country and the health sector, the embargo continues to cause major hardships for the Cuban people. Health is one of the many wide-ranging sectors negatively impacted by the embargo, and its impacts are briefly described in this report.

**Impact of the embargo on the population, the health sector and individual health**

Cuba has given very high priority to health since the beginning of the revolutionary process in 1958. Despite the adversities imposed by the embargo, Cuba's health indicators are comparable with those of industrialized countries. The resources allocated to health exceed 9 per cent of the country's gross domestic product: this is almost entirely public spending, reaffirming the Cuban State's commitment to health. Unfortunately, part of the resources must be directed to mitigate the difficulties imposed by the embargo, such as higher procurement and transaction costs.

As a means of recording and monitoring the effects of the embargo on the health sector, the Ministry of Public Health meets with all national institutions that document and report on its impact, pursuant to the provisions of Legal Decree 290 of the Council of Ministers of 29 March 2012 and Law 80 on the Reaffirmation of Cuban Dignity and Sovereignty of 24 December 1996.

In compliance with the above-mentioned regulations, losses due to the embargo are considered as those which result from the application of extraterritorial measures, political pressure, or any other kind of pressure by the United States Government to hinder or impede Cuba in the conduct of commercial operations and economic transactions derived from collaborative projects and financial investments, and which impede access to technology or knowledge and affect production and services, as well as other effects.

For the period April 2015-March 2016, the economic impact on the health sector is estimated to have exceeded $82 million, with a cumulative impact of over 2.6 billion United States dollars from the beginning of the embargo to date.

One of the first quantifiable impacts was on the State-owned Comercializadora Servicios Médicos Cubanos S.A., a Cuban medical services trading company, which estimated losses of $31 million in patient care and academic services.

Losses resulting from geographical trade relocation are estimated to be about $14 million and include products manufactured exclusively by United States manufacturers, thus requiring third-party mediation. This inevitably leads to increased costs due to additional operational expenditures, insurance, freight, transfers, handling, storage, time and use of additional intermediaries.

The impact on service production, estimated at $24 million, should also be considered. The losses result from the inability to purchase raw materials manufactured in the United States, for example, those needed to produce orthopaedic or other prosthetic items. In addition, some well-known suppliers have a return policy whereby the defective part must be returned before a new one is

dispatched. This means that the supplies required for the maintenance and repair of equipment throughout the year cannot be purchased and stored, further increasing the cost of commercial operations. At the same time, the embargo has prevented the national health system from properly updating its equipment; hence, a large quantity and variety of it is in need of maintenance and repair. Additionally, from a financial standpoint, this elevates costs due to increased freight costs and the loss of discounts for bulk buying.

The embargo also makes it difficult to acquire technologies for the various medical specialties. The losses in that respect are estimated to be over $5 million during the period under review.

In addition, the Cuban Medical Professional Parole Program for Cuban physicians and other health personnel working on international missions outside Cuba incites professionals to migrate, leaving care gaps for the Cuban population. Although difficult to measure in economic terms, it has an evident impact on the transaction costs of managing the availability of human resources to ensure service coverage for the population.

The embargo on Cuba imposes additional difficulties in further developing the health system. It prevents the Government from accessing funds from international financial institutions such as the World Bank or the Inter-American Development Bank and limits access to donations from civil society and philanthropic organizations of the United States.

Tangible examples of the embargo's direct impact on health services for the population include the difficulties in acquiring some molecular biology reagents necessary for diagnosing genetic diseases and the need to send samples abroad because ultraspecialized research equipment cannot be obtained.

**Impact of the embargo on WHO/PAHO technical cooperation**

The impact of the embargo on WHO/PAHO technical cooperation in Cuba is multifaceted and evident in various spheres, including higher financial transaction costs; purchases and procurement; participation of Cubans in international events and organization of international meetings in Cuba; and Cuba's participation in distance learning.

WHO/PAHO operations in Cuba cannot make use of the United States banking system, through which most WHO/PAHO transactions in the region of the Americas are carried out. In Cuba, WHO/PAHO must use Canadian banks to move funds to/from Cuba with the consequent increase in transaction and operational costs. For example, in June of 2015 the WHO/PAHO office in Cuba attempted to return funds in United States dollars from Cuba to its headquarters in Washington, D.C. Efforts from WHO/PAHO headquarters proved, however, to be fruitless owing to the limitations imposed by the embargo on the banks involved. Scotia Bank — a Canadian bank — applied for an Office of Foreign Assets Control licence but it no longer exists, having been replaced by a general licence from United States authorities that all international organizations can use for operations with Cuba. Despite various attempts at legal and banking solutions, Scotia Bank and United States authorities have been unable to reach an understanding on how to operate. Repatriation of the funds was also attempted via intermediary banks operating with Citibank USA, again without success. Consequently, to date, WHO/PAHO has over

$1 million frozen in its bank account. From August 2015 to March 2016, the approximate monthly average amount of immobilized funds in Cuba was over $1.6 million (see table), leading to financial losses for the organization, as no interest is accrued.

| *Date* | *Surplus cash in account (United States dollars)* |
|---|---|
| 31 Aug 2015 | 2 237 670 |
| 31 Sept 2015 | 2 196 220 |
| 31 Oct 2015 | 1 963 462 |
| 30 Nov 2015 | 1 628 648 |
| 31 Dec 2015 | 1 399 174 |
| 31 Jan 2016 | 1 377 759 |
| 29 Feb 2016 | 1 302 075 |
| 21 Mar 2016 | 1 161 884 |
| **Average** | **1 658 362** |

If we take these figures and estimate a low interest rate for short-term investments of about 1 per cent since the initial attempt was made to repatriate surplus funds in Cuba, losses amount to $15,000.

The impact of the embargo on WHO/PAHO technical cooperation in Cuba in terms of purchases and procurements is very difficult to quantify economically. However, a high proportion of the funds allocated for technical cooperation go to the purchasing of supplies and equipment in strategic areas. In 2015, WHO/PAHO processed a total of 90 purchases worth almost $1 million. The delivery of medicines and equipment is affected by delays, threatening the health of the Cuban population. The most acutely affected procurements are those processed by WHO/PAHO headquarters, which are inevitably subject to delays, as they have to be delivered via third-party countries in Asia, Europe and Latin America. This is particularly the case with information and communications technology equipment. Not only are transport costs higher, but there are also other expenses associated with not being able to use United States suppliers directly.

With regard to the procurement of medicines and technologies, the embargo affects all equipment and supplies that might contain any component or accessory of United States origin. Either they cannot be purchased or, in the best-case scenario, they can be purchased but with major delays while awaiting special licences from the United States Department of Commerce, which, if granted, can take several months. One recent example is the procurement of diagnostic kits from Abbott Laboratories to detect malformations in the foetus due to the Zika virus: Abbott stated that the supply was subject to the granting of one of the special licences and that until then it could not commit to the delivery of the product. Another example is the National Medical Genetics Center, which was unable to obtain several reagents and essential equipment needed for its diagnostic and research activity, as many of them are of United States origin. The inability to obtain such necessary items not only increases the costs and limits the capabilities of the Center, but also affect the entire genetics programme for Cuba's health system.

To acquire reagents and supplies for XPerte equipment purchased in 2015 for the Ministry of Public Health by another United Nations agency, a licence from the United States Department of Commerce was required. However, when WHO/PAHO tried to purchase the reagents to operate the equipment, it was not possible to do so, leaving no alternative but to cancel the order with the consequent negative impact on the health of the population.

The embargo also affects Cuban scientists and public health professionals who wish to share experiences at workshops, conferences, and seminars facilitated by WHO/PAHO at the regional and international levels. For example, simply applying for a United States visa unnecessarily increases the price of an airline ticket; the most flexible ticket has to be purchased since it is uncertain that the visa will be issued on time. Furthermore, WHO/PAHO can purchase airline tickets only from its regional headquarters in Washington, D.C., through Copa Airlines, thanks to a special licence granted by the Department of Commerce as an exception to the embargo. This reduces any possible access to more competitive prices. Other impacts on travel and training include the following:

- It is not possible to use the organization's corporate card in Cuba, which would improve the effectiveness of the processes and allow the most cost-effective options.
- The WHO travel agency cannot issue tickets for Cuban or foreign participants departing from or arriving in the country.
- Hotel reservations cannot be confirmed for Cuban participants, as their credit cards are not valid in other countries.
- Foreign bank accounts for international WHO/PAHO staff of Cuban nationality are blocked, including those of the WHO/PAHO Credit Union.
- International civil servants cannot use credit cards issued by United States banks for hotel or any other payments in Cuba.

In respect of courses and seminars organized in Cuba by WHO/PAHO, the impact of the embargo can be seen primarily in the lack of suppliers of all types. For example, there are no national suppliers with a reliable supply chain of office materials, so they have to be purchased sporadically, in small quantities, in cash and at higher prices. In 2015, 138 seminars were processed, for a total of $117,215. Transportation for courses and seminars is extremely difficult as the country's vehicle fleet is insufficient, and agencies are unable to obtain spare parts or can do so only through other countries at higher costs. Food suppliers, be they private or State-owned, experience serious limitations in the procurement of products, which have a great impact on the variety, quality and cost of services.

In a similar vein to that described for the participation of Cuban scientists and public health professionals in events outside Cuba (in particular, at the WHO/PAHO regional office in Washington, D.C.), the embargo imposes additional technical cooperation costs when events take place in Cuba, with higher costs for participants travelling from the regional office, who are also restricted to travel on a single international airline. This is not to mention the increased costs of products necessary for organizing such events, when they are procured in the local market, as many products need to be imported from Latin America, Europe, and Asia that could have been easily acquired in the United States. Furthermore, staff members are forced to

carry United States dollars in cash as United States credit cards are not accepted in Cuba, and they also have to pay a 10 per cent surcharge when exchanging dollars for the local currency as a Cuban measure to partially compensate for the regulations imposed by the embargo.

Cuba's participation in distance learning and exchanges has also been affected by the embargo. This is particularly worrisome owing to the high number of WHO and PAHO collaborating centres in the country in areas such as healthy housing; occupational health; diabetic care (National Institute of Endocrinology); dengue control; knowledge management; health centres for the elderly; Institute of Nutrition; management and quality of hospital care (Hospital Gustavo Aldereguía Lima, Cienfuegos); clinical genetics (National Medical Genetics Center); and State control of medicines, equipment, and medical devices, which is also a national reference authority of regional reference for PAHO. Incorporation of the CISCO WebEx platform by WHO/PAHO at the regional level has reduced the potential participation and interaction of those important institutions with the countries of the region in activities facilitated by WHO/PAHO. Tests carried out in the country by health facilities with a local Internet provider revealed that CISCO does not offer WebEx service in Cuba. This prevents the country's health institutions, including the Ministry of Public Health, from holding virtual conferences and training, for instance, through the PAHO virtual campus on public health, provided by PAHO headquarters or WHO. It also means that those institutions are unable to generate their own virtual cooperation meetings.

The WHO/PAHO office in Cuba has installed a satellite link with an EMC company (a non-local Internet service provider) and so is able to participate in the new platform. However, in addition to the extra costs generated, this only mitigates the general impact of the embargo on the country in this field.

Other impacts of the embargo on WHO/PAHO technical cooperation:

- Knowledge management, owing to major difficulties in accessing scientific information available via such tools as Adobe (Adobe Digital Editions, Adobe Shockwave Player, Adobe Flash Player) and Java, among others
- Inability to attain information resources from publishing houses in the United States and other countries owing to obstacles with direct transactions with international banks. An example of this is the Taylor and Francis Group, a British-based company, which ceased business with Cuba as a result of the embargo. A similar situation occurred with the American Psychiatric Association, a United States company based in Virginia, which refused temporary access to its journals, indicating that it was unable to conduct business with Cuba owing to the embargo.

## World Intellectual Property Organization

[Original: English]
[4 May 2016]

As a result of the embargo, the following circumstances have been observed in Cuba to be obstacles to the country's advancement in the field of intellectual property and to have a direct impact on its technological, social and economic development:

(a) By restricting the access of Cuban citizens to the United States of America, the embargo limits the possibilities of human resources development on American soil. As a result, specialized Cuban professionals may not fully benefit from higher specialization opportunities in the field of intellectual property, in particular the opportunities available in the United States. These include aspects of intellectual property asset management, issues regarding intellectual property office management, as well as the opportunity to become acquainted with successful experiences in the implementation of technology transfer offices, technology management, and valuation and collateralization of intellectual property.

(b) Visa restrictions also hinder the participation of Cuban intellectual property professionals in regular training programmes, meetings and other events organized by the World Intellectual Property Organization (WIPO) in the territory of the United States of America.

(c) Restricted telecommunications infrastructure also hinders the widespread dissemination of WIPO online distance learning courses in Cuba, despite the efforts and commitment of local authorities to foster a nationwide culture of respect for intellectual property. Videoconference facilities, which facilitate a most efficient, cost-effective means of communication, especially for educational and training purposes, are also unavailable, since most technical equipment and software tools, originating from the United States, may not be acquired.

(d) Poor telecommunication facilities also have a negative impact on and obstruct the access of Cuban nationals to WIPO online databases and other digital services in the field of intellectual property. This situation, in particular online access to patent information databases, including Patentscope and others, that are only available through the Internet, is detrimental to the advancement of technological research and other innovation programmes carried out by the Government of Cuba in the field of environmental, medical and life sciences, and bio- and nanotechnologies.

(e) The embargo also affects the availability of information technology equipment and software for the performance of administrative operations regarding filing and granting procedures, in particular patent and trademark search and examination services. Although the country is administratively equipped to perform such functions owing to a capillary presence of provincial branches of the Cuban Industrial Property Office, the lack of specialized software critically hinders such performance. External procurement formalities to obtain the required equipment and software are extremely burdensome. This situation continues to cause cumulative delays in the services that these offices are required to render and prevents the normal growth and expansion of such services. Most importantly, this situation stifles the possibility of taking full advantage of the functionalities available under the WIPO Intellectual Property Automated System, since some of the system's operating tools are not freely accessible for users in Cuba. As such, the possibilities for expansion and customization of the System to meet the needs of Cuban users (both in the capital and in the provinces) are seriously compromised.

(f) The extraterritorial effects of the embargo extend to the financial arena as well. Payments from Cuba to WIPO under the WIPO-administered treaties (Patent Cooperation Treaty and the Madrid System) may be effected only in euros or Swiss francs, but not in United States dollars, in order to avoid the restrictions imposed by the United States Office of Foreign Assets Control. Payments from

WIPO to the Cuban intellectual property office must be made in the same currencies. The cost of these indirect transactions for the purpose of avoiding United States banks amounts to considerable financial losses and discourages the use by Cuban nationals of the Patent Cooperation Treaty and Madrid System.

## World Meteorological Organization

[Original: English]
[4 May 2016]

Collaboration exists between Cuba and the World Meteorological Organization (WMO). WMO has been providing support to projects, meteorological equipment and instruments as well as co-sponsoring meteorological conferences.

The blockade may have affected or limited the access by the meteorological service of Cuba to projects or to the acquisition of some equipment produced in countries adhering to the blockade. However, the economic, commercial and financial blockade imposed by the United States against Cuba did not affect the normal fulfilment or mutual scientific-technical relations between WMO and the meteorological service of Cuba, and/or between the Cuban meteorological service and the rest of the national meteorological and hydrological services in the region or in the world.

During the blockade, the meteorological service of Cuba was able to exchange meteorological, hydrological and climatological data with other national meteorological and hydrological services or regional centres without restrictions. In addition, the Cuban meteorological service received all available WMO technical documentation produced in the secretariat for distribution to all member countries.

The most important point is that the national meteorological service of Cuba was able receive the available technical documentation that allowed the service to serve its users and to permit its staff to attend meetings organized by WMO or other meteorological centres in the region or the world, including technical commissions, working groups or lectures at the scientific and technical level.

Cuba remained active in the activities of WMO Regional Association IV.

## World Tourism Organization

[Original: English]
[26 May 2016]

The United States economic, commercial and financial embargo to Cuba is still evident in general activities, including restrictions on the travel of United States citizens to Cuba, which has a direct effect on the Cuban tourism sector.

Although the agreements reached between the Governments of Cuba and the United States of America are a step towards boosting travel from the United States to Cuba, it is important to emphasize that the regulations of the embargo related to tourist travels have been retained, and that it is only an expansion of travel under the general licence to the 12 categories authorized by law.

During 2015, international tourist travel to the country grew by 4.4 per cent and travel to the Caribbean subregion grew by 7.3 per cent. The United States, as

the second largest outbound market worldwide, contributes strongly to this ongoing growth, with more than a third of its tourists visiting the Caribbean. This means that during 2015, 23.9 million tourists visited the Caribbean and expenditure reached the record figure of $28.4 billion. Consequently, the Caribbean had a better performance than the world's average.

In respect of promoting tourism, Cuba cannot access United States advertising companies or other promotion channels, making it more difficult to sell their destination, and their national tourism agency, which is in charge of servicing the United States market, is not allowed to have direct representation on United States soil.

The embargo measures concerning e-commerce, Internet usage and United States credit card transactions, as a means of payment for air ticket sales and tourist services, continue to affect tourism operations in Cuba, in particular geographical relocation of the suppliers, which implies higher prices and higher transportation and insurance fees, owing to the long distance that needs to be covered by the supplier markets and the non-mobility of resources to keep large stocks of merchandise. This also implies higher financial costs, because of the need to access the more expensive commercial credit, compared to softer State and bank credit, which is difficult to obtain as a consequence of the pressure exerted by the United States Government on third countries and because of currency exchange rate variations, since the United States dollar cannot be used as purchasing currency.

In 2015, Cuban tourism companies paid an estimated 30 per cent in excess of prices for imports of products highly demanded by tourists, which had to be obtained through third countries. Several groups of products, such as food, special tourism equipment, technology, electrical materials, general hardware, computer equipment and construction materials, are produced in the United States; however, owing to the embargo they had to be bought from third countries.

International and domestic tourism in Cuba, in the period from April 2015 to March 2016, continued to experience severe damage caused by the economic, commercial and financial embargo imposed on Cuba by the United States Government in important areas related to operations and crucial logistical services for the tourism sector, an amount that could reach $2.1 billion.

## World Trade Organization

[Original: English]
[1 June 2016]

The scope and functions of the World Trade Organization (WTO) are defined in the 1994 Marrakesh agreement establishing the World Trade Organization. The preamble of the agreement recognizes that trade and economic endeavour should be conducted with a view to, among others, attaining higher living standards and ensuring full employment, in accordance with the objective of sustainable development and in a manner consistent with members' needs and concerns at different levels of development. The preamble also stresses the desirability of eliminating discriminatory treatment in international trade relations.

Cuba and other WTO members have repeatedly commented on the issue in the context of resolution 70/5 at meetings of the WTO Dispute Settlement Body held

between June 2015 and May 2016.[44] Cuba also raised the issue at meetings of the General Council of WTO[45] and at the Tenth Ministerial Conference of WTO, held in Nairobi from 15 to 18 December 2015.[46]

The comments on the issue at meetings of the Dispute Settlement Body were made in the context of the surveillance of implementation of its recommendations pertaining to the 2002 dispute brought by the European Union against the United States over section 211 of the Omnibus Appropriations Act of 1998 enacted by the United States. Following the finding of the Appellate Body of WTO, the Dispute Settlement Body recommended that the measure in question be brought into compliance with WTO agreements. Status reports on the implementation of the Dispute Settlement Body recommendations have been kept on the agenda of its meetings until very recently. At the Dispute Settlement Body meeting in January 2016, the complainant in the dispute — the European Union — stated that it no longer considered it necessary for the United States to continue to provide monthly status reports on the dispute and decided to withdraw the item from the agenda of future Dispute Settlement Body meetings, even though the European Union stated that it did not consider the matter resolved. Cuba, not a direct party to the dispute, made the point that the measure at issue in this dispute affects their trade interests, and that the matter had not yet been resolved.

Finally, in its fourth annual report on the renewal granted on 3 February 2012 of the waiver extension approved on 14 December 2006 (WT/L/964), Cuba drew the attention of WTO members to the financial restrictions imposed on foreign banking institutions in regard to dealing with Cuba. The waiver was granted to Cuba under the decision of 14 October 1996 in relation to paragraph 6 of article XV of the General Agreement on Tariffs and Trade 1994 and was extended on 20 December 2001.

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[44] Since June 2015, this issue has been raised in the following meetings of the Dispute Settlement Body: 19 June 2015 (WT/DSB/M/364); 20 July 2015 (WT/DSB/M/365); 31 August 2015 (WT/DSB/M/367); 28 September 2015 (WT/DSB/M/368); 28 October 2015 (WT/DSB/M/369); 25 November 2015 (WT/DSB/M/370); 25 January 2016 (WT/DSB/M/373); 26 February 2016 (WT/DSB/M/375).

[45] 18 November 2015 (WT/L/964); 30 November and 7 December 2015 (WT/GC/M/160); 24 February 2016 (WT/GC/M/161).

[46] 15-18 December 2015 (WT/MIN(15)/ST/65).